



**ITEM FOR ENVIRONMENTAL COMMISSION AGENDA**

**MEETING DATE REQUESTED:** August 19, 2015

**NAME & NUMBER OF PROJECT:** Pilot Knob Planned Unit Development  
C814-2012-0152

**OWNER:** Carma Easton, Inc. (Logan Kimble)

**AGENT:** Armbrust & Brown, L.L.P. (Lynn Ann Carley)

**LOCATION:** East William Cannon Drive

**PROJECT FILING DATE:** December 5, 2012

**DSD/ENVIRONMENTAL STAFF:** Jim Dymkowski, 974-2707  
james.dymkowski@austintexas.gov

**PZD/CASE MANAGER:** Wendy Rhoades, 974-7719  
wendy.rhoades@austintexas.gov

**WATERSHED:** Cottonmouth Creek, North Fork Dry Creek, and South Fork Dry Creek Watersheds (Suburban)  
Desired Development Zone

**ORDINANCE:** Watershed Protection Ordinance (current Code)

**REQUEST:** Review and consider for recommendation the environmental aspects of the proposed Planned Unit Development (PUD), including code modifications and environmental superiority.

**STAFF RECOMMENDATIONS:** Recommend for approval.

**REASONS FOR RECOMMENDATION:** The proposed PUD is environmentally superior to development that could otherwise be built under current applicable regulations.



## MEMORANDUM

**TO:** Mary Gay Maxwell, Chair, and Members of the Environmental Commission

**FROM:** Jim Dymkowski, Environmental Review Specialist Senior  
Development Services Department

**DATE:** August 19, 2015

**SUBJECT:** Pilot Knob Planned Unit Development – C814-2012-0152

This summary is being provided to the Environmental Commission as a supplement to the overall Planning and Zoning Department recommendations for the Pilot Knob Planned Unit Development (PUD). This memo provides an overview of the property's environmental features, the requested modifications to environmental code requirements, and the elements of the project that provide environmental superiority. Staff recommends approval of the environmental elements of the proposed Planned Unit Development based on our finding that the proposed development is environmentally superior to what could be built without the PUD.

### **Description of Property**

The Pilot Knob PUD consists of multiple tracts totaling 2,217 acres. It is located in southeast Austin in the vicinity of William Cannon Drive, McKinney Falls Parkway, Highway 183, and FM 1625 (see Attachment A – Location Map). The PUD area is comprised of five municipal utility districts (MUDs), which were approved by the City Council in 2012. As part of the MUD Consent Agreements, the developer agreed to annex the property into the City's limited purpose zoning jurisdiction and prepare a PUD for the project.

The Pilot Knob PUD is located in the Cottonmouth Creek, North Fork Dry Creek, and South Fork Dry Creek Watersheds. These watersheds are classified as Suburban and fall within the Desired Development Zone. The PUD is not within the Edwards Aquifer recharge or contributing zones. The property contains numerous unclassified, minor, and intermediate waterways.<sup>1</sup> The waterways include Cottonmouth Creek on the west side of the PUD, flowing south to north; the headwaters of North Fork Dry Creek in the northeast, flowing southwest to northeast; and the headwaters of South Fork Dry Creek in the southeast, flowing west to east (see Attachment B – Environmental Features Map).

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<sup>1</sup> Per LDC Section 25-8-91, a minor waterway has a drainage area of 64 to 320 acres, and an intermediate waterway has a drainage area of 320 to 640 acres. Waterways with a drainage area smaller than 64 acres are unclassified.

### ***Existing Topography/Soil Characteristics/Vegetation***

The PUD site is currently undeveloped and has historically been used for agriculture. The site primarily consists of cropland used for hay production, native rangeland, and abandoned cropland with wooded corridors along fencerows. The topography is gently rolling, with elevations ranging from 530 to 676 feet above mean sea level. Slopes range between 0 and 15 percent on approximately 99.7 percent of the property (2,211 acres). There are approximately 5.5 acres of slopes between 15 and 25 percent, 0.4 acres of slopes between 25 and 35 percent, and 0.02 acres of slopes greater than 35 percent. The property has predominately clayey soils.

The majority of the site consists of upland range vegetation, including Japanese brome, King Ranch bluestem, silver bluestem, horsemint, giant ragweed, sumpweed, goldenrod, Texas wintergrass, and Johnson grass. Upland woody vegetation includes hackberry, Ashe juniper, mesquite, mustang grape, eastern red cedar, and gum bumelia. Bottomland woody vegetation includes cottonwood, chinaberry, black willow, hackberry, boxelder, and giant ragweed.

### ***Critical Environmental Features/Endangered Species Habitat***

An Environmental Assessment (EA) was prepared for the project site by Jacobs Engineering in October 2012. The EA identified 15 critical environmental features (CEFs) within the PUD site, including 10 ponds and five herbaceous wetlands. The PUD will comply with the current code requirement to provide a 150-foot buffer zone around all CEFs, unless modified or mitigated pursuant to LDC Section 25-8-282, Wetland Protection.

The EA also evaluated the property for suitable habitat for state and federally listed endangered, threatened, or candidate species. Neither the listed species nor their critical habitat was observed on site during the field reconnaissance process.

### ***Water/Wastewater***

Water and wastewater service will be provided by the City of Austin, pursuant to the MUD Consent Agreements. According to the 2012 EA, the Texas Water Development Board Water Information Integration and Dissemination database reported four water wells within the property (two domestic and two unused). A fire hydrant and a plugged water well were observed north of Colton Bluff Springs Road on the western edge of Cottonmouth Creek. No other water wells, borings, or excavations were identified in the EA.

### **Description of Project**

The proposed project contains approximately 2,217 acres of mixed use development, including the following:

- ~1,400 acres of mixed residential development (mix of detached and attached single-family residential, multifamily residential, neighborhood commercial, and civic uses);
- ~200 acres of town center development (mix of commercial, civic, multifamily and attached single-family residential, and hotel uses);
- ~90 acres of employment center development (mix of employment, civic, single-family and multifamily residential, light industrial, and hotel uses);

- ~400 acres of parks and open space (greenways, trails, and parks, with civic and limited commercial uses permitted);
- A fire station;
- An intermodal transit station; and
- Two schools.

### **Requested Environmental Code Modifications**

The proposed PUD includes numerous modifications to current code requirements. The following summarizes key modifications to environmental requirements; please see the applicant’s Exhibit B-2 – Code Variance Table for additional details.

- 25-8-42(B)(7), Administrative Variance – The Director of the Watershed Protection Department may grant a variance for up to 15 feet of cut or fill, instead of up to eight feet as allowed by code. The administrative variance can only be granted in the areas shown in the applicant’s Exhibit O – Cut/Fill Exhibit, and the request must meet the findings of fact for Land Use Commission Variances.
- 25-8-64(B), Impervious Cover Assumptions – For lots smaller than 3,300 square feet, impervious cover is assumed to be 75 percent of the lot size. The code requirement is to assume 2,500 square feet of impervious cover for all lots smaller than 10,000 square feet.
- 25-8-92(B)(1), Critical Water Quality Zones Established – For a minor waterway, the boundaries of the critical water quality zone (CWQZ) are located 50 feet from the centerline of the waterway, instead of 100 feet as required by code.<sup>2</sup>
- 25-8-92(B)(4), Critical Water Quality Zones Established – The CWQZ for a minor waterway may be reduced or eliminated if it is replaced on a one to one area basis. Acceptable methods for replacement include: providing a 50-foot CWQZ from the centerline of a waterway draining less than 64 acres; increasing the CWQZ from 50 feet to up to 100 feet for a minor waterway; or an alternative mitigation methodology approved by the Watershed Protection Department. If the replacement CWQZ area is adjacent to an intermediate or major waterway, it shall be restored to “Good” or “Excellent” condition as specified in the code modification to Section 25-8-261(G).
- 25-8-261(B)(3), Critical Water Quality Zone Development – A hard surfaced trail may be located closer to the creek centerline than otherwise allowed by this section if necessary to provide below-grade crossings under major arterial roadways. The length of trail within the otherwise restricted area is limited to that necessary based on functionality, accessibility standards, or making a transition between within and outside the restricted zone, and the trail must be located outside of the erosion hazard zone if feasible.
- 25-8-261(G)(2), Critical Water Quality Zone Development – Floodplain modifications for ecological restoration or enhancement of creek corridors as required by the PUD shall meet the following criteria:

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<sup>2</sup> Please see the below section on environmental superiority for additional information about the proposed CWQZ width.

- The condition of all CWQZs for intermediate and major waterways shall be assessed using the Zone 2 functional assessment methodology described in Appendix X of the Environmental Criteria Manual. (Zone 2 is the area from the edge of the active channel to the edge of the CWQZ.)
- All CWQZs found to be in “Poor (1)” or “Fair (2)” condition shall be restored to “Good (3)” or “Excellent (4)” condition; CWQZs found to be in “Good (3)” or “Excellent (4)” condition shall not be disturbed except as otherwise allowed by code and this PUD ordinance.
- The applicant shall prepare a Riparian Restoration Plan demonstrating that all parameters of the Appendix X “Scoring: Zone 2 - Critical Water Quality Zone” table shall be raised to “Good (3)” or “Excellent (4)” condition.
- The Zone 2 functional assessment of existing conditions and the Riparian Restoration Plan shall be submitted, reviewed, and approved with each residential subdivision or commercial site plan that includes the CWQZ for intermediate and major waterways.

Floodplain modifications for any development other than PUD-required restoration shall comply with current code.

- 25-8-262, Critical Water Quality Zone Street Crossings – This section is modified as follows:
  - The existing crossing of Cottonmouth Creek by Colton Bluff Springs Road may be modified, realigned, shifted or replaced without triggering restrictions under section (B)(1);
  - The intermediate waterway portion of North Fork Dry Creek may be crossed by one collector street or larger classification roadway at a minimum spacing of 1,000 feet; and
  - Roadways may cross a minor waterway at a minimum spacing of 900 feet.
- 25-8-282, Wetland Protection – Wetland mitigation shall be tracked so that mitigation may occur in advance; e.g., mitigation performed during a current phase of development may offset wetland removal in a future phase of development.
- 25-8-392, Uplands Zone – The impervious cover limits are modified to be based on location within the PUD, rather than land use (single-family residential, commercial, etc.) The location-based limits, which range from five to 95 percent, result in an average of 65 percent impervious cover across the entire PUD.

The following table compares the proposed impervious cover to the maximum impervious cover allowed by the code in effect when the MUDs were approved (the Comprehensive Watershed Ordinance, or CWO) and by the current code (the Watershed Protection Ordinance, or WPO):

**Maximum Impervious Cover based on Proposed Land Uses**

<b>Maximum Impervious Cover</b>	<b>CWO</b>	<b>WPO</b>	<b>Proposed PUD</b>
<b>Total Acres</b>	~1,238 acres	~1,423 acres	1,441 acres total
<b>Average Percent Across PUD</b>	56%	64%	65%

- 25-8-642, Administration Variance – Removal of a heritage tree may be reviewed and approved administratively if removal is required for the construction of either William Cannon Drive or Slaughter Lane. Relocation of a heritage tree is not considered removal.

**Proposed Environmental Superiority Elements**

As mentioned above, the Pilot Knob PUD is comprised of five MUDs. When the MUDs were approved in 2012, the City and developer agreed that the project would achieve environmental superiority by meeting specific standards. For example, the developer agreed to implement various City recommendations, like protecting headwater buffers, prior to their codification in the WPO in 2013. Since the City and developer agreed to superiority standards in the MUD Consent Agreement, the baseline for evaluating the PUD’s environmental superiority is the code that applied to the property in 2012: the CWO regulations for the City’s extraterritorial jurisdiction (ETJ).

The project is proposing to provide the following environmental superiority elements (please see the applicant’s Exhibit B-1– Superiority Table for additional details):

1. The PUD will provide approximately double the amount of required parkland. Parkland requirements will be based on ten acres per 1,000 residents, instead of the current code requirement of five acres per 1,000 residents. In addition, a minimum of 100 acres of parkland will be provided, even if the residential density does not require that amount.
2. The PUD will provide 300 acres of open space, which is 32 percent higher than the 227 acres required based on the assumed land uses.
3. The PUD will exceed the minimum landscaping requirements of the code by providing a tree care plan, prepared by a certified arborist, for construction-related impacts within the critical root zone of all trees which are required to be preserved. All trees planted to meet landscape requirements will be selected from Appendix F of the Environmental Criteria Manual. The project will also utilize Central Texas seed stock and provide adequate soil volume.
4. Upon reclaimed water being brought to undeveloped areas of the project, reclaimed water shall be used for irrigation in open space areas where such use is economically feasible, subject to any applicable water use restrictions imposed by the City. No reclaimed water will be used in the floodplain or CWQZ.
5. The project will use green water quality controls, as described in Environmental Criteria Manual (ECM) Section 1.6.7, to treat 100% of the water quality volume required by

code. Per ECM Section 1.6.7, green water quality controls may include, but are not limited to, biofiltration ponds, rain gardens, and other non-required vegetation.

6. Waterways with a drainage area of 64 to 320 acres will be either protected with a 50-foot CWQZ or mitigated pursuant to the MUD Consent Agreement. This equates to approximately 39,555 linear feet of buffered headwater streams, and approximately 88 acres of CWQZ. (The CWO did not protect waterways with a drainage area smaller than 320 acres in the Suburban watersheds. However, waterways with a drainage area of 64 to 320 acres are protected with a 100-foot CWQZ under current code.)
7. The project will restore riparian vegetation in the CWQZ for all intermediate and major waterways within the PUD.
8. An integrated pest management plan will be developed for commercial, residential, and open space areas, and residential property owners will be educated regarding integrated pest management and “Grow Green” requirements. Copies of the IPM plan will be provided to single family homeowners and all other commercial property owners.

### **Recommendations**

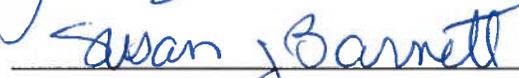
Staff recommends approval of the proposed Planned Unit Development based on our finding that the proposed development is environmentally superior to what could be built without the PUD, as required by City code. For example:

- The project will improve riparian habitat by restoring degraded CWQZs for all intermediate and major waterways.
- The project will use green water quality controls to treat 100 percent of the required water quality volume. Green water quality controls provide greater overall pollutant removal than the minimum requirement for sedimentation/filtration systems. They can also provide additional benefits, such as infiltration and potable water conservation.
- The project will provide double the amount of parkland and 32 percent more open space than required by code. The additional parkland and open space is located outside of environmentally sensitive areas that are required to be protected, such as CWQZs and CEF buffers.
- The project will exceed the minimum landscaping requirements by providing a tree care plan, selecting trees from Appendix F of the ECM, utilizing Central Texas seed stock, and providing adequate soil volume for planted trees.
- The project agreed to provide a CWQZ for creeks with a drainage area from 64 to 320 acres, prior to the adoption of the WPO.

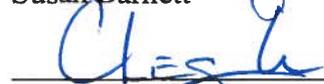
Environmental Reviewer:

  
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Jim Dymkowski

Environmental Program Coordinator:

  
\_\_\_\_\_  
Susan Barnett

Environmental Officer:

  
\_\_\_\_\_  
Chuck Lesnak

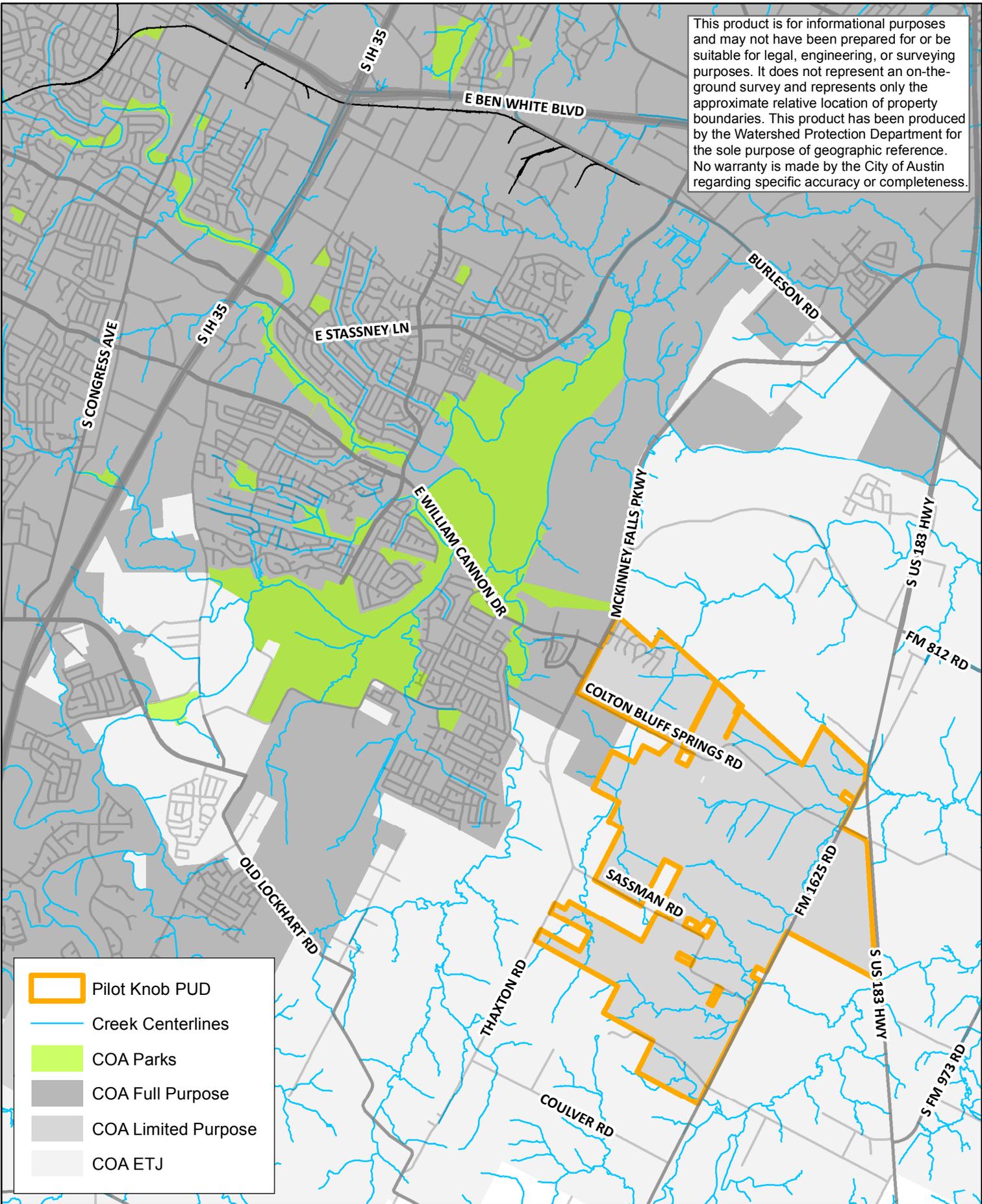
Date:

August 19, 2015

**Attachments**

- A Location Map
- B Environmental Features Map
- C Site Photos
- D Driving Directions

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This product has been produced by the Watershed Protection Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

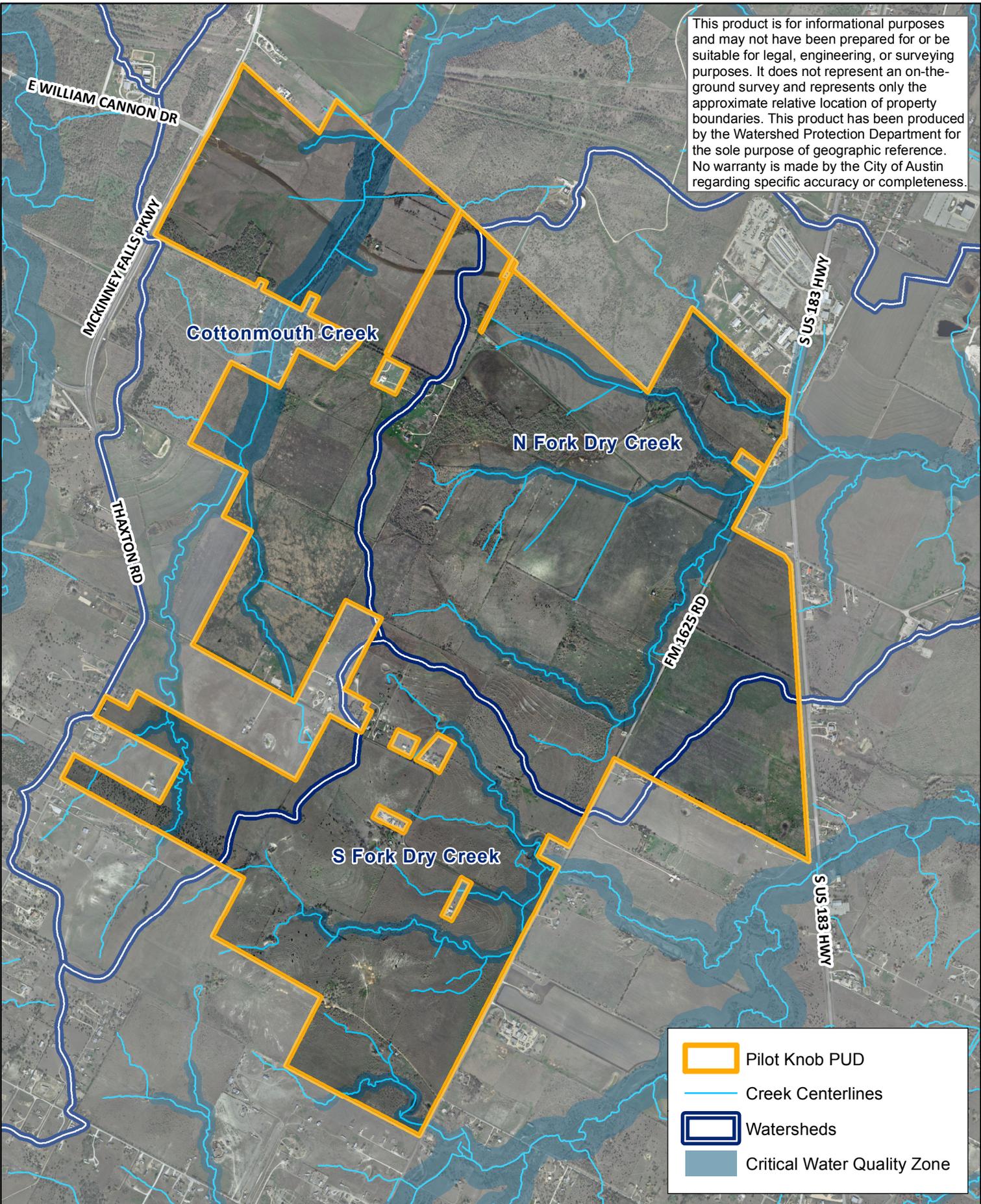


-  Pilot Knob PUD
-  Creek Centerlines
-  COA Parks
-  COA Full Purpose
-  COA Limited Purpose
-  COA ETJ

**Attachment A**  
**Pilot Knob PUD Location Map**



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**Attachment B**  
**Pilot Knob PUD Environmental Features Map**

**Attachment C**  
**Pilot Knob PUD Site Photos**



View of PUD property from McKinney Falls Road, looking east



View of PUD property from the corner of Colton Bluff Springs Road and FM 1625, looking south



Headwater tributary (unclassified waterway; drainage area less than 64 acres)



Cottonmouth Creek (intermediate waterway, drainage area 320-640 acres)



Example of Critical Environmental Feature (CEF)



Example of CEF



Area of proposed code modification to LDC 25-8-42(B)(7), Administrative Variance, for cut and fill up to 15 feet



Area of proposed code modification to LDC 25-8-42(B)(7), Administrative Variance, for cut and fill up to 15 feet – intersection of McKinney Falls Road and Colton Bluff Springs Road

## **Attachment D**

### **Driving Directions to Pilot Knob PUD**

From Austin City Hall, 301 W. 2<sup>nd</sup> Street:

- Drive 5 miles south on I-35; take exit 228 for William Cannon Drive
- Turn left onto E William Cannon Drive; drive 3.4 miles
- Turn right onto McKinney Falls Parkway; drive 0.3 miles
- Turn left onto Colton Bluff Springs Road

Colton Bluff Springs Road runs through the northern section of the PUD. To make a loop through the property, drive east on Colton Bluff Springs Road to FM 1625. Turn right and drive south on FM 1625 to Sassman Road. Turn right and drive west on Sassman Road to Thaxton Road. Turn right and drive north on Thaxton Road, which becomes McKinney Falls Parkway.

## ZONING CHANGE REVIEW SHEET

**CASE:** C814-2012-0152 – Pilot Knob  
Planned Unit Development

**P.C. DATE:** June 11, 2013  
December 10, 2013  
June 24, 2014  
December 9, 2014  
June 9, 2015  
June 23, 2015  
July 28, 2015  
September 8, 2015

**ADDRESS:** East and southeast of the intersection of William Cannon Drive and McKinney Falls Parkway, and west of South U.S. Highway 183 and FM 1625

**DISTRICT AREA:** 2

**OWNER:** Carma Easton, Inc. (Logan Kimble)      **AGENT:** Armbrust & Brown, L.L.P.  
(Lynn Ann Carley)

**ZONING FROM:** I-RR; I-SF-4A      **TO:** PUD      **AREA:** 2,216.56 acres

### **SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant planned unit development (PUD) district zoning with the conditions of the Environmental Board, and as shown in the Land Use Plan as provided in Exhibit C, and supporting Exhibits D through S.

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memorandum, dated August , 2015, as provided in Attachment B.

### **ENVIRONMENTAL BOARD MOTION:**

August 19, 2015:

### **PLANNING COMMISSION RECOMMENDATION:**

June 11, 2013: *APPROVED AN INDEFINITE POSTPONEMENT REQUEST BY STAFF AND THE APPLICANT*

*[J. NORTEY; J. STEVENS – 2<sup>ND</sup>] (8-0) D. ANDERSON – ABSENT*

December 10, 2013: *APPROVED AN INDEFINITE POSTPONEMENT REQUEST BY STAFF.*

*[J. NORTEY, S. OLIVER – 2<sup>ND</sup> (5-0) R. HATFIELD, A. HERNANDEZ, B. ROARK AND J. STEVENS WERE ABSENT.*

June 24, 2014: *APPROVED AN INDEFINITE POSTPONEMENT REQUEST BY STAFF.*

*[R. HATFIELD; B. ROARK – 2<sup>ND</sup>] (5-0) J. NORTEY, S. OLIVER, J. STEVENS - ABSENT; 1 VACANCY ON THE COMMISSION.*

December 9, 2014: *APPROVED AN INDEFINITE POSTPONEMENT REQUEST BY STAFF*

*[R. HATFIELD; J. STEVENS – 2<sup>ND</sup>] (5-0) A. HERNANDEZ, J. NORTEY, B. ROARK- ABSENT; S. OLIVER-NOT YET ARRIVED*

June 9, 2015: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO JUNE 23, 2015*  
*[J. NORTEY; R. HATFIELD – 2<sup>ND</sup>] (5-0) A. HERNANDEZ; S. OLIVER; J. STEVENS; N. ZARAGOSA – ABSENT*

June 23, 2015: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO JULY 28, 2015*

*[R. HATFIELD; S. OLIVER – 2ND] (8-0) J. SHIEH – ABSENT*

July 28, 2015: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO SEPTEMBER 8, 2015*

*[J. SCHISLER; P. SEEGER – 2ND] (10-0) J. VELA III; M. WILSON – ABSENT; 1 VACANCY ON THE COMMISSION*

September 8, 2015:

**ISSUES:**

None at this time.

**EXHIBITS AND ATTACHMENTS TO THE STAFF REPORT:**

- Exhibits A, A-1, A-2 and A-3: Vicinity Map, Zoning Map, Aerial and MUD Boundaries
- Exhibits B and B-1: Basis for Superiority Table and Code Modification Table
- Exhibit C: Pilot Knob PUD Land Use Plan and Density Table
- Exhibit D: Conceptual Parks and Open Space Plan
- Exhibit D-1: Hard Surfaced Trail Location
- Exhibit E: Parkland and Open Space Tracking Sheet
- Exhibit F: Permitted Land Uses
- Exhibit G: Site Development Regulations
- Exhibit H: Off-Street Parking and Loading Regulations
- Exhibit I: Declaration of Easements and Restrictive Covenants Regarding the Maintenance of Drainage Facilities Form
- Exhibit J: Buffer Zone Transfers
- Exhibit K: Setback / Waterway Buffer Zone Transferring and Receiving Restrictive Covenant Form
- Exhibit L: Proposed Waterway Crossings
- Exhibit M: Wetland Transfer Exhibit
- Exhibit N: Wetland Transferring and Receiving Restrictive Covenant Form

Exhibit O: Cut / Fill

Exhibit P: Impervious Cover Map

Exhibit P-1: Impervious Cover Table

Exhibit Q: Tree Conflicts – William Cannon Drive and Slaughter Lane

Exhibit R: Conceptual Public Art Master Plan

Exhibit S: PUD Notes

Attachment A: Environmental Board Motion and support material

Attachment B: Traffic Impact Analysis Memo

Attachment C: Educational Impact Statement

Correspondence Received

**DEPARTMENT COMMENTS:**

The proposed Pilot Knob Planned Unit Development (PUD) consists of undeveloped land zoned interim – rural residence (I-RR) and interim – single family residence-small lot (I-SF-4A) districts generally bounded by McKinney Fall Parkway on the west, Colton-Bluff Springs Road on the north, U.S. Highway 183 and FM 1625 Road on the east and Wende Road on the south, and has limited frontage on Thaxton Road on the southwest. The zoning map and aerial also show several outparcels that are adjacent or surrounded by the PUD. These remain in unincorporated Travis County; bringing them into the PUD would necessitate annexation and initial zoning and amendment of the Land Use Plan. Much of the land surrounding the PUD is within unincorporated Travis County, undeveloped, and is rural in character with the exception of the area along the US Highway 183 corridor which is more commercial in nature. For context, the McKinney Falls State Park is to the northwest, the Springdale subdivision is to the west and Austin Bergstrom International Airport is to the northwest.

The proposed zoning area encompasses all five Pilot Knob Municipal Utility District areas that were established in 2012. For the purposes of this PUD application, the area has been divided into four general land use areas that are separated by Slaughter Lane. The 200 acre Town Center area is bounded by Colton Bluff Springs Road, U.S. Highway 183, the Slaughter Lane extension and FM 1625. The Mixed Residential 1 area is located on the north side of Slaughter Lane and encompasses MUDS 2 and 3, and the Mixed Residential 2 area is on the south side covering MUDS 4 and 5. There are two Employment Center areas (approximately 45 acres each) oriented toward FM 1625 Road; one is situated at the William Cannon right-of-way (not on the ground) and the other is at its intersection with Slaughter Lane. Please refer to Exhibits A (Vicinity Map), A-1 (Zoning Map), A-2 (Aerial View) and A-3 (MUD Boundaries).

The Applicant is requesting PUD district zoning for a 2,216.5 acre mixed use project that may be developed with up to 14,300 dwelling units, 750,000 square feet of employment uses, 4.6 million square feet of civic and commercial uses, up to 400 acres of parks and open space, two Del Valle Independent School District sites and one fire station/EMS site. A donation of a net-buildable 2 acre tract at no cost to the City of Austin for a Fire / EMS

station site is proposed to be located on the south side of Slaughter Lane, close to its intersection with FM 1625. A 10 acre intermodal transit station will be located along Slaughter Lane in or near the Town Center area.

In general, single family residential is located along the north side of Main Street, and multi-family residential and commercial uses are grouped along the subdivision entrance. Parkland and open space are interspersed throughout, and hike and bike trails follow designated parkland areas and roads that connect to Main Street. Commercial uses are proposed along the south frontage of Main Street, with a multi-family residential tract further south. Please refer to Exhibit C (Land Use Plan and Density Table).

Per the Land Development Code, PUD district zoning was established to implement goals of preserving the natural environment, encouraging high quality development and innovative design, and ensuring adequate public facilities and services. The City Council intends PUD district zoning to produce development that achieves these goals to a greater degree than and thus is superior to development which could occur under conventional zoning and subdivision regulations.

City Council approved revisions to the PUD regulations that became effective June 29, 2008. To help evaluate the superiority of a proposed PUD, requirements are divided into two categories: Tier 1, which is requirements that all PUDs must meet, and Tier 2 which provides criteria in 13 topical areas in which a PUD may exceed code requirements and therefore demonstrate superiority. A PUD need not address all criteria listed under Tier 2, and there is no minimum number of categories or individual items required.

As more fully detailed in the Tier Table and Land Use Plan (please refer to Exhibit B), this proposed PUD meets all 12 of the applicable Tier 1 items, meets one of three additional Tier 1 items (*Commercial Design Standards*), and offers some elements of superiority in six of the 13 Tier 2 categories (*Open Space; Environment/Drainage; Art; Community Amenities, Transportation and Affordable Housing*).

#### *Code Modifications*

There are 48 modifications to Code requirements requested by the Applicant and recommended by Staff (please refer to Exhibit B-1 – Code Modification Table for details)

- Section 25-1-21(103) (*Definition of Site*) – This section is modified to provide that a site in the Pilot Knob PUD may cross a public street or right-of-way
- Chapter 25-1, Article 14 (*Parkland Dedication*) – Specifies the parkland dedication and open space requirements. It also establishes a tracking mechanism for parkland and open space
- Section 25-2-243 (*Proposed District Boundaries*) – Is amended to provide that the boundaries of the Pilot Knob PUD may be non-contiguous

- Chapter 25-2, Subchapter B, Article 2, Division 5, Subpart B, Section 2.1 (*Compliance Required*) – Modified to allow land within the MUD’s Project Area that is later added to the PUD to not require additional superiority.
- Chapter 25-2, Subchapter B, Article 2, Division 5, Subpart B, Section 2.3.1.D (*Minimum Requirements*) – Modified to allow a two star rating under Austin Energy’s Green Building Program or a reasonably equivalent rating under another program approved by the City.
- Chapter 25-2, Subchapter B, Article 2, Division 5, Subpart B, Section 2.3.1.J (*Minimum Requirements*) – Modified to allow gated roadways for retirement homes and active adult communities, if connectivity for bikes and pedestrians is maintained.
- Chapter 25-2, Subchapter B, Article 2, Division 5, Subpart B, Section 2.3.1.J (*Minimum Requirements*) and Subchapter E – Clarifies the term block and how it is measured. Establishes roadway types within the PUD for applying Subchapter E regulations.
- Chapter 25-2, Subchapter B, Article 2, Division 5, Subpart B, Section 2.5 (*Planned Unit Development Standards, Development Bonuses*) – Superseded by the previously approved MUD Consent Agreement, which establishes superiority of land uses and affordable housing.
- Chapter 25-2, Subchapter B, Article 2, Division 5, Subpart C, Section 3.2.2.C (*Planned Unit Development Regulations*) – Establishes a specific set of land uses and site development regulations for the PUD.
- Section 25-2-491 (*Permitted, Conditional, and Prohibited Uses*) – Establishes a specific set of permitted land uses for the PUD.
- Section 25-2-492 (*Site Development Regulations*) – Establishes a specific set of site development regulations for the PUD.
- Section 25-2-517 (*Requirements for Amphitheaters*) – Modified so that Land Use Commission approval is not required for amphitheaters in the PUD.
- Section 25-2-812(C)(2) (*Mobile Food Establishments*) – Modified to allow mobile food establishments within all areas of the PUD.
- Section 25-2-1006(A)(1) and (2) (*Visual Screening*) – Modified to allow only the structural components of green water facilities and stormwater drainage facilities be subject to the screening requirements.
- Section 25-2-1032(A)(1) (*Trees Required*) – Modified to allow only one tree be planted for lots with an area of 2,500 sf or less.

- Section 25-2-1051 *Applicability (Compatibility Standards)* – Establishes a specific set of compatibility standards within the PUD.
- Section 25-4-62(2) *(Expiration of Approved Preliminary Plan)* – Modified to allow an approved preliminary to expire 10 years after the date of application for its approval is filed.
- Section 25-4-132(B) and 30-2-132(B) *(Easements and Alleys)* – Establishes a specific set of off-street loading and unloading facilities within the PUD.
- Section 25-4-174 and 30-2-174 *(Lot Size)* – Establishes a specific set of site development regulations for the PUD.
- Section 25-4-232 and 30-2-232 *(Small Lot Subdivisions)* – Establishes a specific set of site development regulations for the PUD. It also requires that responsibilities for common areas and access easements be established.
- Section 25-4-233 and 30-2-233 *(Single Family Attached Residential Subdivision)* – Establishes a specific set of site development regulations for the PUD.
- Section 25-6-2 and 30-2-232 *(Driveway Approaches Described)* – Clarifies the types of driveways for the specific housing types in the PUD.
- Section 25-6-113(A) *(Traffic Impact Analysis Required)* – Clarifies when the TIA shall be amended, and how traffic improvements and cost estimates are approved.
- Section 25-6-116 *(Desirable Operating Levels For Certain Streets)* – Waives this provision within the PUD.
- Section 25-6-117(D)(1) *(Waiver Authorized)* – Waives operating levels of streets within the PUD.
- Section 25-6-141(B)(1) *(Action on Application)* – Waives denial of applications due to operating levels of streets within the PUD.
- Section 25-6-171 and 30-3-71 *(Standards for Design and Construction)* – Modified to allow Travis County to administratively approve innovative or alternate roadway designs.
- Section 25-6-172 and 30-3-72 *(Arterial Streets)* – Waives the arterial street standards in the PUD.
- Section 25-6-292(C) *(Design and Construction Standards)* – Modifies to allow direct vehicular access from a lot to an alley in the PUD.

- Chapter 25-6, Article 7, (*Off-Street Parking and Loading*) – Establishes a specific set of off-street parking and loading regulations for the PUD.
- Chapter 25-6, Appendix A. (*Tables of Off-Street Parking and Loading Requirements*) – Establishes a specific set of off-street parking and loading regulations for the PUD.
- Section 25-7-153 and 30-4-153 (*Detention Basin Maintenance and Inspection*) – Establishes who will finance, operate, and maintain detention basins located in open space or in the ROW and how this will be enforced.
- Section 25-8-42 and 30-5-42 (*Administrative Variances*) – Modified to allow the director to grant cut and fill variances administratively up to 15 feet in a few specific locations shown in the PUD.
- Section 25-8-64 and 30-5-64 (*Impervious Cover Assumptions*) – Establishes impervious cover assumptions for lots smaller than 3,300 sf.
- Section 25-8-92 and 30-5-92 (*Critical Water Quality Zones Established*) – Establishes the boundaries of the critical water quality zones within the PUD and how minor waterways may be reduced and replaced.
- Section 25-8-231 and 30-5-231 (*Water Quality Control Maintenance and Inspection*) – Establishes who will finance, operate, and maintain water quality control facilities located in open space or in the ROW and how this will be enforced.
- Section 25-8-261(B)(3) and 30-5-261(B)(3) (*Critical Water Quality Zone Development*) – Modified to allow hard surfaced trails to run closer, if providing below grade crossings under major arterial roadways.
- Section 25-8-261(G) and 30-5-261(G) (*Critical Water Quality Zone Development*) – Modified to allow floodplain modifications for ecological restoration or enhancement of creek corridors in order to meet other PUD requirements.
- Section 25-8-262 and 30-5-262 (*Critical Water Quality Zone Street Crossings*) – Modified to allow three roadway crossings that don't meet requirements of the code due to site and roadway constraints.
- Section 25-8-282 and 30-5-282 (*Wetland Protection*) – Creates a mechanism for tracking wetlands and mitigation for the PUD.
- Section 25-8-392 and 30-5-392 (*Uplands Zone*) – Modified to allow the clustering of impervious cover along street corridors and in centers.

- Section 25-8-642 (*Administrative Variance*) – Modified to allow removal of a heritage tree to be reviewed and granted administratively if required for construction of William Cannon or Slaughter Lane.
- Section 25-9-1 *Applicability (Utility Service)* – Clarifies that MUD consent agreement provisions regarding utility service will govern in the event of any conflicts.
- Section 25-10-23(B)(7) (*Hazardous Signs Described and Prohibited*) – Clarifies that the Transportation Criteria Manual sign safety triangle shall be used.
- Section 25-10-91 (*Sign Districts Described; Hierarchy Established*) – Establishes the sign districts in the PUD, based on the land use areas in the Land Use Plan.
- Section 25-10-123 (*Expressway Corridor Sign District Regulations*) – Clarifies the signage requirements for the Employment Center district within the PUD.
- Section 25-10-130 (*Commercial Sign District Regulations*) – Clarifies the signage requirements for the Town Center and Employment Center districts within the PUD.
- Section 25-10-191 (*Sign Setback Requirements*) – Clarifies the sign setback requirements in the PUD.

*Staff recommendation and conditions:*

Given the number and breadth of items offered in the PUD that exceed current code standards, Staff believes the proposal can result in superior development along a major street in southern Travis County. Therefore, Staff recommends PUD zoning based on the following factors that make this project superior:

***Affordable Housing***

- Provide 10% of owner occupied units at 80% Median Family Income at the initial offering for sale
- Provide 10% of rental units at 60% Median Family Income, for a period of 40 years
- Make a financial contribution to the City's affordable housing program equal to 2% of the total "hard" construction cost reimbursements actually received by the Developer out of the proceeds of bonds issued by the District, up to maximum of \$8 million

***Art***

- Participate in the Art in Public Places Program. The Public Art Master Plan identifies opportunities, guiding principles and locations within the PUD for outdoor art installations to be implemented and managed by the Developer. All subsequent operations and maintenance of the artwork will be the responsibility of the Developer.

***Commercial Design Standards***

- Compliance with Subchapter E of the City's Land Development Code with only minor project specific exceptions
- Provide pedestrian-oriented uses on the first floor of a multi-story commercial or mixed use building

#### ***Environmental and Landscaping***

- Restore Critical Water Quality Zones with the use of native prairie grass and riparian tree species
- Use of green water quality controls, including biofiltration ponds and rain gardens
- Protect or mitigate all of the 64 acre drainage area.
- Provide a minimum 50 foot wide setback for unclassified waterways with a drainage area of 32 acres.
- Restore riparian vegetation along portions of Cottonmouth Creek which are degraded CWQZ areas
- Provide a tree care plan
- When reclaimed water is available to the Pilot Knob PUD, reclaimed water shall be used for irrigation in open space areas where economically feasible, subject to any applicable water use restrictions imposed by the City. Reclaimed water shall not be used for irrigation in CWQZs, CEF buffers, or floodplain.

#### ***Green Building***

- All buildings within the PUD will be constructed to achieve two star rating or greater under the City's Austin Energy Green Building Program or such buildings will be constructed in a manner to sufficient to achieve a reasonably equivalent rating under another program approved by the City.

#### ***Location***

- Partially located within the boundaries of a Town Center which is a mid-sized activity center outlined in the Imagine Austin Growth Concept Map.
- Clusters density by way of a corridors and centers plan

#### ***Parkland and Open Space***

- Providing a minimum of 400 acres of open space, including parkland.
- Parkland requirements will be based on ten acres per 1,000 residents, instead of current code, which is based on five acres per 1,000 residents
- Fiscal or parkland improvements in the amount of \$400 per residential living unit equivalent (LUE) will be provided, which is double the amount recommended in the Parks and Recreation Board Guidelines.

#### ***Public Facilities***

- Dedication of land for two school sites, including bring water, wastewater and streets to the site at no cost to the Del Valle ISD
- Dedication of a 2-net buildable acre site for a future City of Austin Fire / EMS station
- Designation of a 10 acre site for a future intermodal transfer station and related public transportation facilities for market price sale to the City / Capital Metro

***Transportation and Connectivity***

- Provide right-of-way for arterial street alignments in accordance with the CAMPO 2035 Transportation Plan
- Provide bike lanes on all roads that are designated as primary collector or higher
- Provide a minimum of 10 miles of publicly accessible trails, connected to sidewalks, pedestrian ways and the vehicular transportation network
- Compliance with the Complete Streets policy on: 1) typical street cross-sections; 2) Standards for internal blocks and street connections; 3) Sidewalks, Trails and Streetscape Standards; and 4) Bicycle improvements and amenities

***Utility Facilities***

- Provide oversized major water and wastewater facilities, including gravity interceptors, lift stations and force mains for over 14 projects. The pro rata share of these non-recoverable improvements for the benefit of the City totals approximately \$3.76 million in 2012 dollars.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-RR; I-SF-4A	Undeveloped
<i>North</i>	County	Mostly undeveloped; Commercial; Industrial; A few residences
<i>South</i>	County	Mostly undeveloped; Residential; Commercial
<i>East</i>	I-RR	Undeveloped; Single family residences on large tracts; Farm / ranch operations; Commercial; Industrial
<i>West</i>	County	Undeveloped; Residential; Agricultural; Limited amount of commercial

**MUNICIPAL UTILITY DISTRICT:** Pilot Knob MUD Nos. 1 through 5

**TIA:** Is required – Please refer to Attachment B

**WATERSHEDS:** Cottonmouth Creek, North Fork Creek; South Fork Dry Creek–Suburban

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

- 96 – Southeast Corner Alliance of Neighborhoods (SCAN)
- 472 – Springfield Meadows Neighborhood Association
- 511 – Austin Neighborhoods Council                      627 – Onion Creek Homeowners Association
- 786 – Home Builders Association of Greater Austin

774 – Del Valle Independent School District 1005 – Elroy Neighborhood Association  
 1037 – Homeless Neighborhood Organization      1075 – Bike Austin  
 1195 – Imperial Valley Neighborhood Association  
 1200 – Super Duper Neighborhood Objectors and Appealers Organization  
 1224 – Austin Monorail Project      1228 – Sierra Club, Austin Regional Group  
 1236 – The Real Estate Council of Austin, Inc. 1258 – Del Valle Community Coalition  
 1340 – Austin Heritage Tree Foundation      1363 – SEL Texas

**SCHOOLS:**

The property is within the Austin Independent School District.

Creedmoor Elementary School    Ojeda Middle School    Del Valle High School

*Note:* An Educational Impact Statement (EIS) is required. Please refer to Attachment C.

**CASE HISTORIES:**

There are no recent cases in the vicinity.

**RELATED CASES:**

The City annexed this area for limited purposes in June 2012 and an interim-rural residential (I-RR) zoning designation was assigned to the area (C7L-2012-004). Full purpose annexation will occur in accordance with the terms of the Strategic Partnership Agreement between the City and Pilot Knob MUD No. 1 through 5. The Agreement states full purpose annexation shall occur no later than December 31, 2047.

A Development Assessment for Pilot Knob PUD was submitted on January 31, 2012 and in accordance with the revised regulations for PUDs, a briefing was presented to Council on June 28, 2012 (CD-2012-0001). On December 5, 2012, the Applicant made a formal application for PUD zoning.

**EXISTING STREET CHARACTERISTICS:**

Name	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
McKinney Falls Parkway	Major arterial divided, 4 lanes			
Colton-Bluff Springs Road				
U.S. Highway 183	Major arterial divided, 4 lanes, 100 feet r-o-w			
FM 1625 Road	Major arterial undivided, 2 lanes, 80 feet r-o-w			
Sassman Road				

Thaxton Road	Minor arterial, 2 to 4 lanes			
Wende Road				

**CITY COUNCIL DATE:**

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Wendy Rhoades  
e-mail: wendy.rhoades@austintexas.gov

**PHONE:** 512-974-7719

## **SUMMARY STAFF RECOMMENDATION:**

### **BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

*1. The proposed zoning should be consistent with the purpose statement of the district sought.*

The Planned Unit Development (PUD) zoning district is intended for large or complex developments under unified control, planned as a single contiguous project. The PUD is intended to allow single or multi-use projects within its boundaries and provides greater design flexibility for development proposed within the PUD. Use of the PUD district should result in development superior to that which would occur using conventional zoning and subdivision regulations. PUD zoning is appropriate if the development enhances preservation of the natural environment; encourages high quality development and innovative design; and ensures adequate public facilities and services for development within the PUD.

*2. Zoning changes should result in a balance of land uses, provides an orderly and compatible relationship among land uses, and incorporates environmental protection measures.*

### **EXISTING CONDITIONS**

#### **Site Characteristics**

The PUD site is currently undeveloped and has historically been used for agriculture. The site primarily consists of cropland used for hay production, native rangeland, and abandoned cropland with wooded corridors along fencerows. The topography is gently rolling, with elevations ranging from 530 to 676 feet above mean sea level. Slopes range between 0 and 15 percent on approximately 99.7 percent of the property (2,211 acres). There are approximately 5.5 acres of slopes between 15 and 25 percent, 0.4 acres of slopes between 25 and 35 percent, and 0.02 acres of slopes greater than 35 percent. The property has predominately clayey soils.

The majority of the site consists of upland range vegetation, including Japanese brome, King Ranch bluestem, silver bluestem, horsemint, giant ragweed, sumpweed, goldenrod, Texas wintergrass, and Johnson grass. Upland woody vegetation includes hackberry, Ashe juniper, mesquite, mustang grape, eastern red cedar, and gum bumelia. Bottomland woody vegetation includes cottonwood, chinaberry, black willow, hackberry, boxelder, and giant ragweed.

#### ***Critical Environmental Features/Endangered Species Habitat***

An Environmental Assessment (EA) was prepared for project site by Jacobs Engineering in October 2012. The EA identified 15 critical environmental features (CEFs) within the PUD site, including 10 ponds and five herbaceous wetlands. The EA also evaluated the property for suitable habitat for state and federally listed endangered, threatened, or candidate

species. Neither the listed species nor their critical habitat was observed on site during the field reconnaissance process.

### Impervious Cover

The proposed percentages of impervious cover are as follows: up to 5% for open space areas; up to 20% for improved parkland; up to 73% for areas interior to the PUD; up to 90% for the southeast corner of McKinney Falls Parkway and William Cannon Drive and up to 95% for areas along portions of William Cannon Drive, Slaughter Lane, FM 1625 and US Highway 183. The average impervious cover in the PUD area is 65 percent.

### Comprehensive Planning

The proposed Pilot Knob PUD is a 2,214 acre site located within a larger 3,070 acre project planning area. Pilot Knob is planned to be a walkable, mixed use residential community with a Town Center and Employment Center focused on the US 183 frontages. The proposed project calls for 14,300 dwelling units and 5,350,000 square feet of civic, commercial, and industrial space. This zoning case is not located within the boundaries of a neighborhood planning area. This zoning case is bounded by future expansion of William Cannon Drive to the north, McKinney Fall Parkway and Thaxton Road to the west, and US 183 and FM 1625 to the east. The southern boundary of this project is not defined by a road edge but the planning area of this project extends one mile to the south of future expansion of Slaughter Lane, when once completed, will bisect the site.

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan (IACP) identifies this project as being partially located within the boundaries of a **Town Center**. Town Centers are the mid-sized of the three activity centers outlined in the Growth Concept Map. It is less urban than a regional center, but more dense than a neighborhood center. These centers will have a variety of housing types and a range of employers with regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas. The buildings found in a town center will range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, to low-to midrise apartments, mixed use buildings, and office buildings. These centers will also be important hubs in the transit system. Town centers will range in size between approximately 10,000-30,000 people and 5,000-20,000 new jobs.

The following Imagine Austin policies are taken from Chapter 4 of the IACP, which specifically discusses mixed use development and promoting a compact and connected city:

- **LUT P1.** Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the growth concept map.
- **LUT P3.** Promote development in compact centers, communities, or along corridors that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.

- **LUT P5.** Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.
- **LUT P10.** Direct housing and employment growth to activity centers and corridors, and preserving and integrating existing affordable housing where possible.
- **N P1.** Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

Based on the property being located within and adjoining a Town Center as identified on the IACP Growth Concept Map, and the Imagine Austin policies referenced above, staff believes that this proposed project is supported by the Imagine Austin Comprehensive Plan.

### **Environmental**

Please refer to Attachment A.

### **Transportation**

Please refer to Attachment B.

### **Water and Wastewater**

In accordance with the consent agreement, the City will be the sole provider of water and wastewater services within the Municipal Utility District and will provide water / wastewater services to customers within the District in the same manner and conditions that the City provides these services to other retail customers within its corporate limits.

The landowner, at his own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments required. Each lot in the PUD shall have separate wastewater taps, separate water meters, and their respective private water and wastewater service lines shall be positioned or located in a manner that will not cross lot lines. No lot shall be occupied until the structure is connected to the City of Austin water and wastewater utility system. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

### **Subdivision**

Applications for subdivision preliminary plan(s) and final subdivision plat(s) will be need to be approved prior to approval of any site plan or issuance of any development permit.

**Site Plan**

Site plans will be required for any new development other than single-family or duplex residential.

# ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300  
AUSTIN, TEXAS 78701-2744  
512-435-2300

FACSIMILE 512-435-2360  
FACSIMILE 512-435-2399

LYNN ANN CARLEY, P.E.  
(512) 435-2378  
lcarley@abaustin.com

August 12, 2015

Jim Dymkowski  
City of Austin  
Planning and Development Review Department  
505 Barton Springs Road, 4<sup>th</sup> Floor  
Austin, Texas 78701

RE: Pilot Knob PUD – Environmental Variances (C814-2012-0152)

Dear Mr. Dymkowski:

The Pilot Knob PUD is an approximately 2216.64 acre project located near McKinney Falls Parkway, William Cannon Drive, and Hwy 183, as shown in the attached aerial exhibit. In 2012, five municipal utility districts (MUDs) were approved for the project to bring water and wastewater services to the project and this part of the City. As part of the consent for those MUDs, it was agreed that a Planning Unit Development (PUD) would be processed. In order to obtain City Council approval of the MUDs, superiority for the project was provided through the requirements in the MUD consent agreement.

Due to the size and complexity of this 2216.64 acre project, some environmental code variances have been requested. A brief summary of the project, environmental superiority elements, and code variances requested is attached. The code modifications are described in detail in the attached code variance table. In addition, attached is a PUD superiority table that outlines how the PUD is superior to what standard code would allow. Please feel free to contact me with any questions or comments.

Sincerely,



Lynn Ann Carley, P.E.  
Senior Land Development Consultant

cc: Logan Kimble  
Peggy Carrasquillo  
Richard T. Suttle, Jr.

## PILOT KNOB PUD SUMMARY, ENVIRONMENTAL SUPERIORITY, AND VARIANCES

Below is a bullet point list of the project, including the environmental superiority elements and requested code variances.

### PROJECT SUMMARY

1. In 2012, five Pilot Knob MUDs were approved (the "Project").
2. The Pilot Knob PUD includes 2216.64 acres and is located in southeast Austin in the vicinity of William Cannon Drive, McKinney Falls Parkway and Hwy 183.
3. As part of the MUD consent agreement, the Pilot Knob Project agreed to implement various City recommendations, prior to their codification within the City's code. These included the preservation of creek buffers for waterways with a drainage area of 64 to 320 acres, the incorporation of green water quality controls, and a tree care plan, prepared by a certified arborist to be provided for construction-related impacts within the critical root zone of all trees which are required to be preserved.

Although these items are no longer considered environmentally superior, since they have since been incorporated into the City's code, they were considered environmentally superior in 2012 when they were agreed to. In addition, this set a positive precedent for this language being incorporated into the City's code and it paved the way for inclusion in other projects City wide. These superiority elements are described in more detail in items #1, 2, and 3 below.

### ENVIRONMENTAL SUPERIORITY

1. The Pilot Knob PUD is restoring riparian vegetation for all intermediate and major waterways in the CWQZ.
2. Pilot Knob PUD will provide approximately double the amount of required parkland. Parkland requirements will be based on ten acres per 1,000 residents, instead of current Code, which is based on a requirement of five acres per 1,000 residents. In addition, a minimum of 100 acres of parkland will be provided, even if the residential density does not require that amount.
3. The amount of total open space required is 226.75 acres, based on the assumed land uses. The project will provide 300 acres of open space, as described in the MUD consent agreement. Of the 400 acres of parkland plus open space, 185.4 acres are in the floodplain, 20 acres are CEF buffers, and there are zero acres that are additional CWQZ outside of the floodplain.
4. All waterways with a 64 acre drainage area will be either protected or mitigated per the MUD Consent Agreement. This equates to approximately 39,555 linear feet of buffered headwaters. In some instances, the Project will provide a minimum 50 foot setback for unclassified waterways with a drainage area of 32 acres.

5. The Project will use green water quality controls for permanent water quality facilities, as described in Environmental Criteria Manual (ECM) Section 1.6.7, to treat 100% of the water quality volume required by code. Per ECM Section 1.6.7, green water quality controls may include, but not be limited to biofiltration ponds, rain gardens, and other non-required vegetation.
6. A tree care plan, prepared by a certified arborist, shall be provided for construction-related impacts within the critical root zone of all trees which are required to be preserved.
7. Upon reclaimed water being brought to undeveloped areas of the Project, reclaimed water shall be used for irrigation in open space areas where such use is economically feasible, subject to any applicable water use restrictions imposed by the City. However, no reclaimed water will be used in the floodplain or CWQZ.
8. An integrated pest management plan will be developed for commercial, residential, and open space areas, and residential property owners will be educated regarding integrated pest management and "Grow Green Earth-Wise" requirements. Copies of the IPM plan will be provided to single family homeowners and all other commercial property owners.

#### ENVIRONMENTAL VARIANCES

1. Cut/fill – The Director of Watershed Protection may administratively grant a variance for up to 15 feet, instead of up to eight feet. These potential locations are shown on Exhibit O. However, the application must meet the administrative findings.
2. Critical Water Quality Zone (CWQZ) – A minor waterway is defined as having a contributing drainage area of 64 to 320 acres and the CWQZ is established 50 feet on either side of its centerline.
3. Hard Surfaced Trails in the CWQZ – Hard surfaced trails in the CWQZ are allowed to run parallel to the creek closer than otherwise allowed, if they are to provide below-grade crossings under major arterial roadways, as long as the length of trail within the otherwise restricted area is limited to that necessary based on functionality, accessibility standards, or making a transition between within and outside the restricted zone and is placed outside the erosion hazard zone.
4. Floodplain Modifications – In order to adhere to PUD requirements for ecological restoration and/or enhancement of creek corridors, floodplain modifications are allowed. The ecological restoration or enhancement of creek corridors that result in floodplain modifications shall be as follows:
  - The condition of all CWQZ for intermediate and major waterways shall be assessed using the Zone 2 functional assessment methodology described in Appendix X of the Environmental Criteria Manual. (Zone 2 is the area from the edge of the active channel to the edge of the CWQZ.)
  - All CWQZs found to be in "Poor (1)" or "Fair (2)" condition shall be restored to "Good (3)" or "Excellent (4)" condition; CWQZs found to be in "Good (3)" or

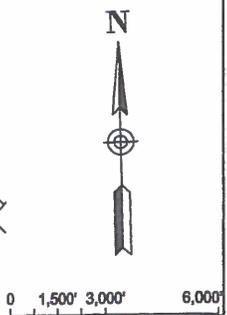
"Excellent (4)" condition shall not be disturbed except as otherwise allowed by code and this PUD ordinance.

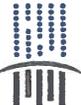
- The applicant shall prepare a Riparian Restoration Plan demonstrating that all parameters of the Appendix X "Scoring: Zone 2 - Critical Water Quality Zone" table shall be raised to "Good (3)" or "Excellent (4)" condition.
- The Zone 2 functional assessment of existing conditions and the Riparian Restoration Plan shall be submitted, reviewed, and approved with each residential subdivision or commercial site plan that includes the CWQZ for intermediate and major waterways.

5. CWQZ Street Crossings – Variances for three CWQZ street crossings are requested, to provide for connectivity for the 2216.64 acre Project. These locations provide the least impact possible.
6. Impervious Cover – The overall impervious cover for the entire Project is 65 percent, which is consistent with what current code allows. However, impervious cover is clustered in a corridors and centers plan, with maximum impervious cover being placed along William Cannon and Slaughter Lane, and in the Town Center and Employment Center districts to correlate to the Imagine Austin plan. See attached table for a comparison of the allowable impervious cover between the Comprehensive Watershed Ordinance, current code, and the PUD proposal.
7. Heritage Trees – Heritage trees may be removed with administrative approval if it pertains to the construction of either William Cannon Drive or Slaughter Lane. Because the end points of these arterials are already defined, the alignment of these roadways is constrained. Areas of potential impact are shown in Exhibit Q: Potential Protected and Heritage Tree Impact Areas.




**PROPOSED PUD BOUNDARY**




**PELTON**  
 LAND SOLUTIONS  
 110 WILD BASIN RD. STE. 200A | AUSTIN, TX 78746 | 512-831-7700

VICINITY MAP *EXHIBIT A*  
**PILOT KNOB  
 PLANNED UNIT DEVELOPMENT**

L:\JOB\WJK\2208 PILOT KNOB PUD\700 CADD\704 EXHIBITS\Vicinity Map - PL



-  N
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

**PLANNED UNIT DEVELOPMENT** *EXHIBIT A-1*  
**ZONING CASE#: C814-2012-0152**

1" = 2,000'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





**PELTON**  
LAND SOLUTIONS

7004 BEE CAVE ROAD  
BUILDING 2, SUITE 100  
AUSTIN, TX 78745  
512-831-7700, TX FIRM NO 12207

AERIAL EXHIBIT

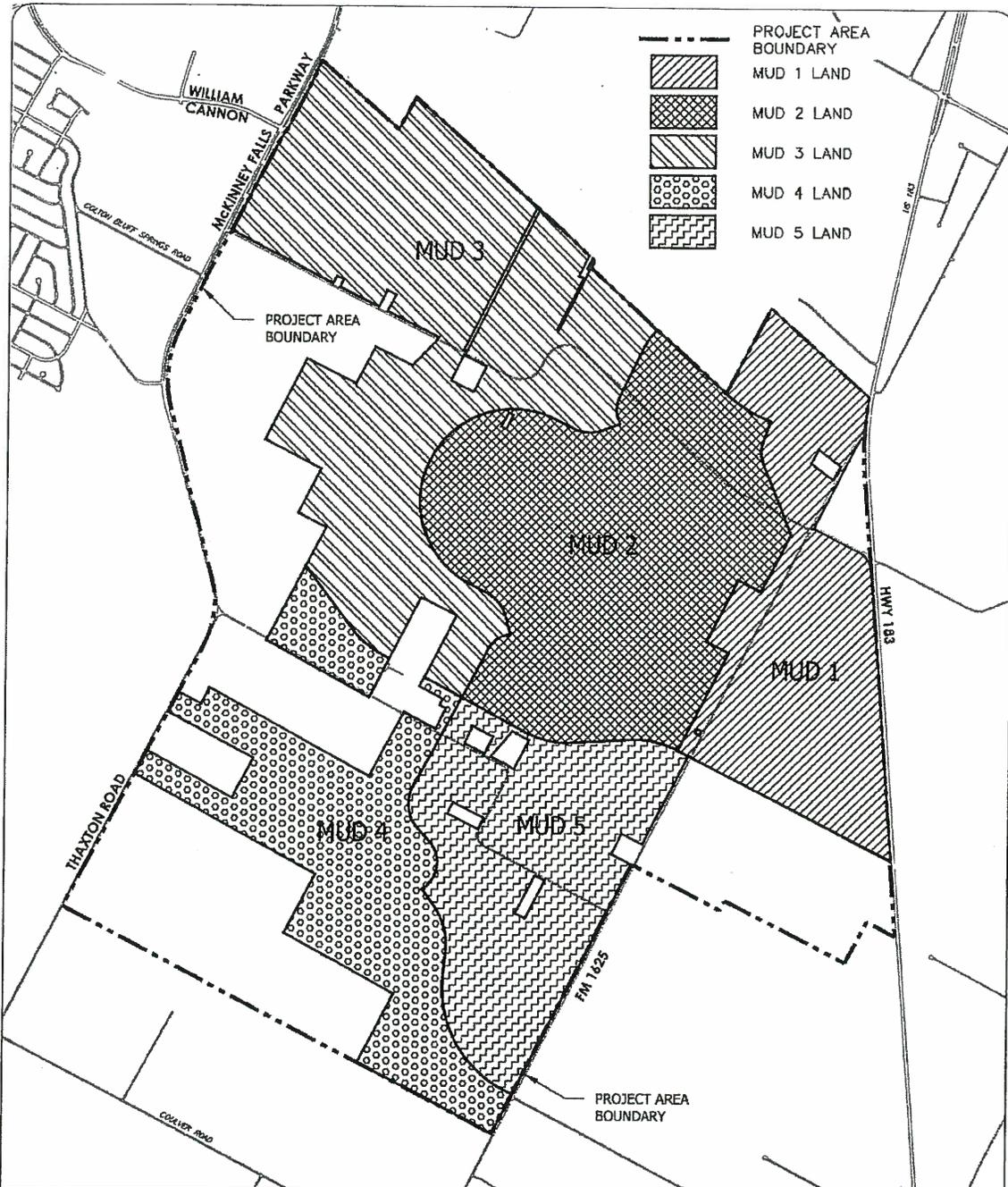
**PILOT KNOB  
PLANNED UNIT DEVELOPMENT**

L:\08\brockfield - Eastman\BP13001-01 - Pilot Knob PUD\CAD\Entire\Aerial Exhibit

EXHIBIT A-2

**EXHIBIT C**

**Project Area**



<p><b>JACOBS</b><sup>®</sup>                  TBPE Registration #F-2966                  2705 Bee Cave Road, Suite 300                  Austin, Texas 78746                  (512) 314-3100 Fax (512) 314-3135</p>	<p><b>PROJECT AREA</b></p>		<p>PILOT KNOB MUNICIPAL                  UTILITY DISTRICTS</p>	
			<p>BROOKFIELD RESIDENTIAL</p>	
<p>PRINT DATE: 11/10/2011</p>	<p>SCALE: 1"=2000'</p>	<p>LAST SAVED BY: Rondellki</p>	<p>LAST SAVED: 11/10/2011</p>	<p>PROJECT No.: WJJK2203</p>

L:\WJJK2203\Exon MUD Creation\700 CADD\Exhibits\Project Area Exhibit

*EXHIBIT A-3*

PILOT KNOB PLANNED UNIT DEVELOPMENT SUPERIORITY TABLE

August 12, 2015

TIER ONE PUD REQUIREMENTS			
LDC Reference: Chapter 25-2, Subch. B, Div. 5	Subject	Code Requirement	Pilot Knob PUD Meets or Exceeds This PUD Requirement As Follows:
2.3.1.A.		Meet the objectives of the City code	Pilot Knob PUD meets the objectives of the City code.
2.3.1.B.		Provide for development standards that achieve equal or greater consistency with the goals in Section 1.1 ( <i>General Intent</i> ) than development under the regulations in the Land Development Code. Section 1.1 states that "[t]his division provides the procedures and minimum requirements for a planned unit development zoning district to implement the goals of preserving the natural environment, encouraging high quality development and innovative design, and ensuring adequate public facilities and services.	<p>In 2012, five Pilot Knob MUDs were approved. For simplicity through this spreadsheet, the five MUDs will be called the "District" and the Pilot Knob PUD will be called the "Project".</p> <p>Through the MUD consent process, it was agreed that the major water and wastewater facilities would be oversized for the benefit of the City, with no recoverable costs to the Developer, as shown and described in Exhibits M and N of the Consent Agreement:</p> <ol style="list-style-type: none"> <li>1. Cottonmouth Gravity Interceptor, Offsite Section 2</li> <li>2. PK Pumplover Lift Station</li> <li>3. PK Pumplover Force Main</li> <li>4. Cottonmouth Gravity Interceptor South Extension</li> <li>5. Parallel Wende Road Force Main</li> <li>6. South Fork at FM 1625 Lift Station</li> <li>7. South Fork at FM 1625 Force Main</li> <li>8. South Fork at Hwy 183 Lift Station</li> <li>9. South Fork at Hwy 183 Force Main</li> <li>10. North Fork at Hwy 183 Lift Station</li> <li>11. North Fork at Hwy 183 Force Main</li> <li>12. East-West Gravity Interceptor</li> <li>13. 24 inch (O/S) South Zone</li> <li>14. 24 inch (O/S) South Zone</li> </ol> <p>The pro rata share of these non-recoverable improvements for the benefit of the City totals approximately \$3.76 million in 2012 dollars. In addition to providing these facilities, below is a summary of how the Project provides development standards to meet and exceed the PUD intent goals of preserving the natural environment, encouraging high quality development and innovative design, and ensuring adequate public facilities and services.</p>
2.3.1.C.	Open Space	Provide a total amount of open space that equals or exceeds 10 percent of the residential tracts, 15 percent of the industrial tracts, and 20 percent of the nonresidential tracts within the PUD, except that: 1.a detention or filtration area is excluded from the calculation unless it is designed and maintained as an amenity; and 2. the required percentage of open space may be reduced for urban property with characteristics that make open space infeasible if other community benefits are provided	<p>Open space provided = a minimum of 300 acres, as described in the MUD consent agreement.</p> <p>Total open space required: 226.75 acres, based on the assumed land uses.</p> <p>Open space and parkland provided = a minimum of 400 acres per the MUD. Additional parkland will be required, depending on the residential density.</p> <p>Of the 400 acres, 185.4 acres are in the floodplain, 20 acres are CEF buffers, and there are zero acres that are additional CWQZ outside of the floodplain.</p>
2.3.1.D.	Green Building	Comply with the City's Planned Unit Development Green Building Program	All buildings within the PUD will be constructed in a manner to achieve two stars or greater under the City's Austin Energy Green Building Program (or such buildings will be constructed in a manner sufficient to achieve a reasonably equivalent rating under another program approved by the City).
2.3.1.E.	Neighborhood Plans, Historic Areas, Compatibility	Be consistent with applicable neighborhood plans, neighborhood combining district regulations, historic area and landmark regulations, and compatible with adjacent property and land uses	There are no applicable neighborhood plans, neighborhood combining district regulations, historic areas, or landmark regulations. The PUD is compatible with the adjacent property and land uses.

EXHIBIT B-1

PILOT KNOB PLANNED UNIT DEVELOPMENT SUPERIORITY TABLE

August 12, 2015

LDC Reference: Chapter 25-2, Subch. B, Div. 5	Subject	Code Requirement	Pilot Knob PUD Meets or Exceeds This PUD Requirement As Follows:
2.3.1.F.	Environmental Preservation	Provide for environmental preservation and protection relating to air quality, water quality, trees, buffer zones and greenbelt areas, critical environmental features, soils, waterways, topography, and the natural and traditional character of the land	<p>As part of the MUD consent agreements, the project began its preservation of the natural environment by agreeing to implement the City's recommendation of preservation of creek buffers for waterways with a drainage area of 64 to 320 acres, when this was not part of the City's code. Although this is no longer considered environmentally superior, since it has since been incorporated into the City's code, it was considered environmentally superior in 2012 when it was agreed to. In addition, it set a positive precedent for this language being incorporated into the City's code and it being a viable tool that developers could perform.</p> <p>The Pilot Knob PUD includes the restoration of CWQZ areas with the use of native prairie grass and riparian tree species, use of green water quality controls, additional open space, parkland, and trails, as well as incorporation of green building measures such as water saving interior building fixtures and outdoor irrigation systems. These are discussed in more detail in the Tier 2 section below.</p>
2.3.1.G.	Public Facilities	Provide for public facilities and services that are adequate to support the proposed development including school, fire protection, emergency service, and police facilities.	<p>The PUD includes the following public facilities:</p> <ol style="list-style-type: none"> <li>1. Donation of land for two school sites, which includes bringing water, wastewater, and streets to the two sites at no cost to Del Valle ISD.</li> <li>2. Donation of up to two usable acres of land to the City for a fire/EMS site.</li> <li>3. Designation of a ten acre site for a future intermodal transfer station and related public transportation facilities for market price sale to the City/Capital Metro.</li> </ol>
2.3.1.H.	Landscaping	Exceed the minimum landscaping requirements of the City Code.	<p>As part of the MUD consent agreement, the project agreed to provide a tree care plan, prepared by a certified arborist to be provided for construction-related impacts within the critical root zone of all trees which are required to be preserved, prior to this requirement being added to the City's code.</p> <p>Landscaping requirements will be exceeded since planted trees for landscape requirements will come from Appendix F of the Environmental Criteria Manual, or as approved by the City.</p> <p>Upon reclaimed water being brought to undeveloped areas of the Project, reclaimed water shall be used for irrigation in open space areas where such use is economically feasible, subject to any applicable water use restrictions imposed by the City. However, no reclaimed water will be used in the floodplain or CWQZ.</p>
2.3.1.I.	Transportation, Connectivity	Provide for appropriate transportation and mass transit connections to areas adjacent to the PUD district and mitigation of adverse cumulative transportation impacts with sidewalks, trails, and roadways.	<p>Connectivity to the surrounding roadway network is provided in a way to facilitate transportation and mass transit connections.</p> <p>A ten acre site for a future intermodal transfer station and related public transportation facilities will be designated for market price sale to the City/Capital Metro.</p> <p>ROW for arterial street alignments in accordance with the Capital Area Metropolitan Planning Organization (CAMPO) 2035 Transportation Plan or successor plan are being provided.</p> <p>Construction of arterial streets and other transportation improvements identified in the TIA shall be funded, based on a pro-rata share.</p> <p>A minimum of ten miles of trails will be provided. These will be connected to the sidewalks, pedestrian ways, and vehicular transportation network.</p> <p>Where rear property lines of single family residences are adjacent to William Cannon Drive, Slaughter Lane, McKinney Falls Parkway, and FM 1625, funding and construction of aesthetically pleasing walls, subject to review and approval of the City shall be provided.</p>
2.3.1.J.	Prohibit Gated Roadways	Prohibit gated roadways	<p>The PUD will only allow gated roadways for retirement homes and active adult communities, provided that connectivity for pedestrian and bicycle uses is maintained.</p>

**PILOT KNOB PLANNED UNIT DEVELOPMENT SUPERIORITY TABLE**

August 12, 2015

<b>LDC Reference:</b> Chapter 25-2, Subch. B, Div. 5	<b>Subject</b>	<b>Code Requirement</b>	<b>Pilot Knob PUD Meets or Exceeds This PUD Requirement As Follows:</b>
2.3.1.K.	Historical Preservation	Protect, enhance, and preserve areas that include structures or sites that are of architectural, historical, archaeological, or cultural significance	There are no structures or sites that are of architectural, historical, archaeological, or cultural significance.
2.3.1.L.	PUD Size	Include at least 10 acres of land, unless the property is characterized by special circumstances, including unique topographic constraints	The PUD is approximately 2216.64 acres in size.
2.3.2.A.	Commercial Design Standards	Comply with Chapter 25-2, Subchapter E ( <i>Design Standards and Mixed Use</i> )	The Pilot Knob PUD will comply with Subchapter E of the City's Land Development Code, with only minor project specific exceptions.
2.3.2.B.	Commercial Design Standards	Inside the urban roadway boundary depicted in Figure 2, Subchapter E, Chapter 25-2 ( <i>Design Standards and Mixed Use</i> ), comply with the sidewalk standards in Section 2.2.2., ( <i>Core Transit Corridors: Sidewalks And Building Placement</i> )	N/A - The project is not located within the urban roadway boundary depicted in Figure 2.
2.3.2.C.	Commercial Design Standards	Contain pedestrian-oriented uses as defined in Section 25-2-691(C) ( <i>Waterfront Overlay District Uses</i> ) on the first floor of a multi-story commercial or mixed use building.	The Pilot Knob PUD will comply with pedestrian-oriented uses on the first floor of a multi-story commercial or mixed use building.

**2.4 TIER TWO PUD REQUIREMENTS**

<b>LDC Reference:</b> Chapter 25-2, Subch. B, Div. 5	<b>Subject</b>	<b>Code Criteria</b>	<b>Additional Tier Two Requirements Pilot Knob PUD Meets or Exceeds</b>
	Open Space	Provides open space at least 10% above the requirements of Section 2.3.1.A. (Minimum Requirements). Alternatively, within the urban roadway boundary established in Figure 2 of Subchapter E of Chapter 25-2 ( <i>Design Standards and Mixed Use</i> ), provide for proportional enhancements to existing or planned trails, parks, or other recreational common open space in consultation with the Director of the Parks and Recreation Department.	<p>Open space provided = a minimum of 300 acres, as described in the MUD consent agreement.</p> <p>Total open space required: 226.75 acres, based on the assumed land uses. Ten percent above this requirement totals 249.43 acres.</p> <p>Open space and parkland provided = a minimum of 400 acres per the MUD. Additional parkland will be required, depending on the residential density. Of the 400 acres, 185.4 acres are in the floodplain, 20 acres are CEF buffers, and there are zero acres that are additional CWQZ outside of the floodplain.</p> <p>Parkland requirements will be based on ten acres per 1,000 residents, instead of current Code, which is based on a requirement of five acres per 1,000 residents.</p> <p>A minimum of 100 acres of parkland will be provided, even if the residential density does not require that amount.</p> <p>A minimum of ten miles of publicly accessible trails will be provided. The trails will vary in width between four and 12 feet, and will include a combination of concrete sidewalk, crushed granite, and natural slopes. The trail system will attempt to connect to the McKinney Falls trail.</p> <p>The Parks and Recreation Board Guidelines for Parkland and Recreation Facility Standards For Municipal Utility Districts, adopted November 27, 1984, recommends a fee of \$200 for each residential Living Unit Equivalent (LUE) for the provision of parkland improvements. The PUD will post fiscal or develop parkland improvements totaling at least \$400 per residential LUE. It is estimated that this will total \$3.6 million of parkland improvements, based on the expected density.</p>
	Environment / Drainage	Complies with current code instead of asserting entitlement to follow older code provisions by application of law or agreement.	All submittals occurring after the approval of the Pilot Knob PUD propose to comply with current code, in effect at the time of development application, except as amended by the PUD, and not assert entitlements to follow older code provisions.
		Provides water quality controls superior to those otherwise required by code.	N/A

PILOT KNOB PLANNED UNIT DEVELOPMENT SUPERIORITY TABLE

August 12, 2015

LDC Reference: Chapter 25-2, Subch. B, Div. 5	Subject	Code Requirement	Pilot Knob PUD Meets or Exceeds This PUD Requirement As Follows:
		Uses green water quality controls as described in the Environmental Criteria Manual to treat at least 50 percent of the water quality volume required by code.	When the MUD consent agreements were approved in 2012, it was agreed that in all phases of development, the Developer will provide green water quality controls superior to those otherwise required by Austin City Code by providing innovative controls listed in ECM Section 1.6.7 or other as approved by the Watershed Protection Department. Although this item is no longer considered to be environmentally superior, since it has since been incorporated into the City's code, this project set a positive precedent for this language being incorporated into the City's code and it being a viable tool that developers could perform.  The Project will use green water quality controls as described in Environmental Criteria Manual (ECM) Section 1.6.7 to treat 100% of the water quality volume required by code. Per ECM Section 1.6.7, green water quality controls may include, but not be limited to biofiltration ponds, rain gardens, and other non-required vegetation.
		Provides water quality treatment for currently untreated, developed off-site areas of at least 10 acres in size.	N/A
		Reduces impervious cover by five percent below the maximum otherwise allowed by code or includes off-site measures that lower overall impervious cover within the same watershed by five percent below that allowed by code.	N/A
		Provides minimum 50-foot setback for at least 50 percent of all unclassified waterways with a drainage area of 32 acres.	As part of the MUD consent agreements, the project began its preservation of the natural environment by agreeing to implement the City's recommendation of preservation of creek buffers for waterways with a drainage area of 64 to 320 acres, when this was not part of the City's code. Although this is no longer considered environmentally superior, since it has since been incorporated into the City's code, it was considered environmentally superior in 2012 when it was agreed to. In addition, it set a positive precedent for this language being incorporated into the City's code and it being a viable tool that developers could perform.  One hundred percent of the 64 acre drainage areas will be either protected or mitigated per the MUD Consent Agreement. This equates to approximately 39,555 linear feet of buffered headwaters (approximately 88 acres), as shown in Exhibit F-2 of the MUD Consent Agreement. The linear feet of creeks within the PUD which have a drainage area between 32 and 64 acres is 10,900 linear feet. This means that a minimum of 78.3 percent of the drainage areas between 32 and 320 acres will be either protected or mitigated. As noted above, at the time of the MUD approval, there were no requirements for preservation of creek buffers.  In some instances, the PUD will provide a minimum 50 foot setback for unclassified waterways with a drainage area of 32 acres. However, at this time it is not possible to quantify the exact amount. As an example, Easton Park Section 1C, which is currently in review with the City, has 1,000 linear feet of 50 foot buffer for the unclassified waterway with a drainage area of 32 acres.
		Provides volumetric flood detention as described in the Drainage Criteria Manual.	N/A - Per the MUD consent agreement, "[i]n all phases of development, the Developer agrees to: ...4. provide volumetric flood control detention if feasible."
		Provides drainage upgrades to off-site drainage infrastructure that does not meet current criteria in the Drainage or Environmental Criteria Manuals, such as storm drains and culverts that provide a public benefit.	N/A
		Proposes no modifications to the existing 100-year floodplain.	N/A
		Uses natural channel design techniques as described in the Drainage Criteria Manual.	The Project is required to comply with natural channel design techniques, which are superior to the Drainage Criteria Manual. These are described in Exhibit F of the MUD Consent agreement, as well as restated in Exhibit S of the PUD.

PILOT KNOB PLANNED UNIT DEVELOPMENT SUPERIORITY TABLE

August 12, 2015

LDC Reference: Chapter 25-2, Subch. B, Div. 5	Subject	Code Requirement	Pilot Knob PUD Meets or Exceeds This PUD Requirement As Follows:
		Restores riparian vegetation in existing, degraded Critical Water Quality Zone areas.	<p>The Pilot Knob PUD is restoring riparian vegetation for all intermediate and major waterways in the CWQZ.</p> <p>-The condition of all CWQZ for intermediate and major waterways shall be assessed using the Zone 2 functional assessment methodology described in Appendix X of the Environmental Criteria Manual. (Zone 2 is the area from the edge of the active channel to the edge of the CWQZ.)</p> <p>-All CWQZs found to be in "Poor (1)" or "Fair (2)" condition shall be restored to "Good (3)" or "Excellent (4)" condition; CWQZs found to be in "Good (3)" or "Excellent (4)" condition shall not be disturbed except as otherwise allowed by code and this PUD ordinance.</p> <p>-The applicant shall prepare a Riparian Restoration Plan demonstrating that all parameters of the Appendix X "Scoring: Zone 2 - Critical Water Quality Zone" table shall be raised to "Good (3)" or "Excellent (4)" condition.</p> <p>-The Zone 2 functional assessment of existing conditions and the Riparian Restoration Plan shall be submitted, reviewed, and approved with each residential subdivision or commercial site plan that includes CWQZ for intermediate and major waterways.</p>
		Removes existing impervious cover from the Critical Water Quality Zone.	N/A
		Preserves all heritage trees; preserves 75% of the caliper inches associated with native protected size trees; and preserves 75% of all of the native caliper inches.	N/A
		Tree plantings use Central Texas seed stock native and with adequate soil volume.	The Project will utilize Central Texas seed stock and provide adequate soil volume. Planted trees for landscape requirements will come from Appendix F of the Environmental Criteria Manual, or as approved by the City, which was specified in the MUD consent agreement.
		Provides at least a 50 percent increase in the minimum waterway and/or critical environmental feature setbacks required by code.	N/A
		Clusters impervious cover and disturbed areas in a manner that preserves the most environmentally sensitive areas of the site that are not otherwise protected.	N/A
		Provides porous pavement for at least 20 percent or more of all paved areas for non-pedestrian in non-aquifer recharge areas.	N/A
		Provides porous pavement for at least 50 percent or more of all paved areas limited to pedestrian use.	N/A
		Provides rainwater harvesting for landscape irrigation to serve not less than 50% of the landscaped areas.	N/A
		Directs stormwater runoff from impervious surfaces to a landscaped area at least equal to the total required landscape area.	N/A

PILOT KNOB PLANNED UNIT DEVELOPMENT SUPERIORITY TABLE

August 12, 2015

LDC Reference: Chapter 25-2, Subch. B, Div. 5	Subject	Code Requirement	Pilot Knob PUD Meets or Exceeds This PUD Requirement As Follows:
		Employs other creative or innovative measures to provide environmental protection.	<p>1. An integrated pest management plan will be developed for commercial, residential, and open space areas, and residential property owners will be educated regarding integrated pest management and "Grow Green Earth-Wise" requirements. The IPM will be submitted with each subdivision or site plan application. Copies of the IPM plan will be provided to single family homeowners and all other commercial property owners.</p> <p>2. Restrictive covenants will require toilets, bathroom sink faucets and shower heads that are labeled as meeting the standards of the EPA WaterSense program or a comparable program approved by the Developer and the City, be installed in all residential buildings within the District.</p> <p>3. Restrictive covenants will require that all residential irrigation system components are certified as meeting the standards of the EPA WaterSense program or a comparable program approved by the Developer and the City.</p> <p>4. Land uses that contribute to air or water quality pollutants, such as equipment repair services, equipment sales, exterminating services, recreational equipment maintenance and storage, recreational equipment sales, scrap and salvage, vehicle storage, aviation facilities, basic industry, recycling center, and animal production are prohibited everywhere in the PUD. Multiple other uses are prohibited in the areas within the PUD with residential uses.</p>
	Austin Green Builder Program	Provides a rating under the Austin Green Builder Program of three stars or above.	N/A
	Art	Provides art approved by the Art in Public Places Program in open spaces, either by providing the art directly or by making a contribution to the City's Art in Public Places Program or a successor program.	The Pilot Knob project will participate in the Art in Public Places program, as specified in the MUD Consent Agreement. Proposed locations are shown on Exhibit R of the PUD.
	Great Streets	Complies with City's Great Streets Program, or a successor program. Applicable only to commercial, retail, or mixed-use development that is not subject to the requirements of Chapter 25-2, Subchapter E (Design Standards and Mixed Use).	N/A - This Project is subject to the Commercial Design Standards.
	Community Amenities	<p>Provides community or public amenities, which may include spaces for community meetings, community gardens or urban farms, day care facilities, non-profit organizations, or other uses that fulfill an identified community need.</p> <p>Provides publicly accessible multi-use trail and greenway along creek or waterway.</p>	<p>The PUD includes the following public facilities:</p> <ol style="list-style-type: none"> <li>1. Donation of land for two school sites, which includes bringing water, wastewater, and streets to the two sites at no cost to Del Valle ISD.</li> <li>2. Donation of up to two usable acres of land to the City for a fire/EMS site.</li> <li>3. Designation of a ten acre site for a future intermodal transfer station and related public transportation facilities for market price sale to the City/Capital Metro.</li> <li>4. The Parks and Recreation Board Guidelines for Parkland and Recreation Facility Standards For Municipal Utility Districts, adopted November 27, 1984, recommends a fee of \$200 for each residential Living Unit Equivalent (LUE) for the provision of parkland improvements. The PUD will post fiscal or develop parkland improvements totaling at least \$400 per residential LUE. It is estimated that this will total \$3.6 million of parkland improvements, based on the expected density.</li> </ol> <p>A minimum of ten miles of publicly accessible trails will be provided. The trails will vary in width between four and 12 feet, and will include a combination of concrete sidewalk, crushed granite, and natural slopes. The trail system will attempt to connect to the McKinney Falls trail.</p>
	Transportation	Provides bicycle facilities that connect to existing or planned bicycle routes or provides other multi-modal transportation features not required by code.	The Pilot Knob project will provide bike lanes in all roads that are primary collector or above, pending Travis County approval. This is in accordance with the MUD consent agreement.
	Building Design	Exceeds the minimum points required by the Building Design Options of Section 3.3.2. of Chapter 25-2, Subchapter E (Design Standards and Mixed Use).	The Project will encourage commercial properties to exceed the minimum points required by the Building Design Options of Section 3.3.2. of Chapter 25-2, Subchapter E.

**PILOT KNOB PLANNED UNIT DEVELOPMENT SUPERIORITY TABLE**

August 12, 2015

<b>LDC Reference:</b> Chapter 25-2, Subch. B, Div. 5	<b>Subject</b>	<b>Code Requirement</b>	<b>Pilot Knob PUD Meets or Exceeds This PUD Requirement As Follows:</b>
	Parking Structure Frontage	In a commercial or mixed-use development, at least 75 percent of the building frontage of all parking structures is designed for pedestrian-oriented uses as defined in Section 25-2-691(C) (Waterfront Overlay District Uses) in ground floor spaces.	The Pilot Knob PUD will encourage commercial properties to provide at least 75 percent of the building frontage of all parking structures to be designed for pedestrian-oriented uses in ground floor spaces.
	Affordable Housing	Provides for affordable housing or participation in programs to achieve affordable housing.	<p>The Pilot Knob PUD has agreed to meet the following affordable housing goals:</p> <ol style="list-style-type: none"> <li>1. Ten percent of the rental units within the Project will be set aside for households with an income level of 60% or less of the median family income (MFI) in the Austin metropolitan statistical area for a period of 40 years from the effective date of the MUD.</li> <li>2. Ten percent of the owner-occupied units within the Project will be priced, at the time of their initial offering for sale, at a price that is affordable to a household with an income level of 80% of the MFI in the Austin metropolitan statistical area.</li> <li>3. The Developer will make a financial contribution to the City's affordable housing program equal to two percent of the total "hard" construction cost reimbursements actually received by the Developer out of the proceeds of bonds issued by the District and the other Pilot Knob Districts, up to a maximum total contribution of \$8 million.</li> </ol>
	Historic Preservation	Preserves historic structures, landmarks, or other features to a degree exceeding applicable legal requirements.	N/A - There are no historic structures or landmarks on the Project site.
	Accessibility	Provides for accessibility for persons with disabilities to a degree exceeding applicable legal requirements.	The Project will meet all accessibility requirements and seek to exceed these requirements to be sensitive to the needs of persons with disabilities.
	Local Small Business	Provides space at affordable rates to one or more independent retail or restaurant small businesses whose principal place of business is within the Austin metropolitan statistical area.	It is the intent of the Pilot Knob PUD to meet this requirement. However, due to the large size (2216.64 acres) and early stages of the development of the PUD, it is too early to be able to quantify this goal.

**CODE VARIANCE TABLE  
PILOT KNOB PLANNED UNIT DEVELOPMENT**

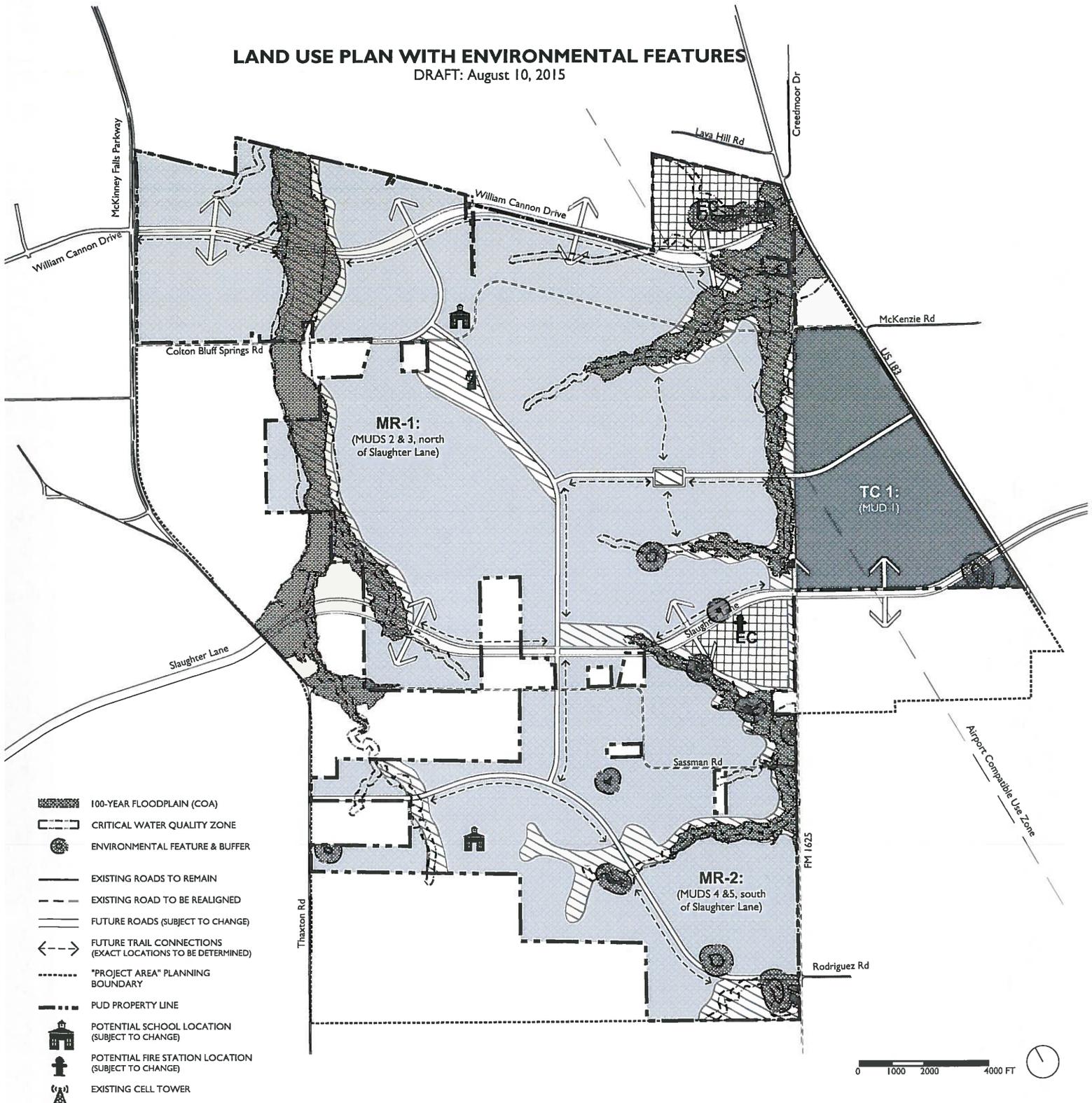
CODE REFERENCE	CURRENT CODE LANGUAGE	PROPOSED PUD LANGUAGE / CODE MODIFICATION
25-8-42 and 30-5-42 ADMINISTRATIVE VARIANCES	(B)(7) The director of the Watershed Protection Department may grant a variance from a requirement of Section 25-8-341 ( <i>Cut Requirements</i> ) or Section 25-8-342 ( <i>Fill Requirements</i> ), for a cut or fill of not more than eight feet in the desired development zone.	Sections 25-8-42(B)(7) and 30-5-42(B)(7) are modified to allow the director of the Watershed Protection Department to grant a variance from a requirement of Section 25-8-341 ( <i>Cut Requirements</i> ) or Section 25-8-342 ( <i>Fill Requirements</i> ), for a cut or fill of not more than 15 feet in the desired development zone, as shown in the attached Exhibit O: Cut/Fill Exhibit. The application must meet the requirement of findings, as required in Section 25-8-42 and 30-5-42.
25-8-64 and 30-5-64 IMPERVIOUS COVER ASSUMPTIONS	(B)(5) for each lot not more than 10,000 square feet in size, 2,500 square feet of impervious cover is assumed.	Sections 25-8-64(B)(5) and 30-5-64(B)(5) are modified as follows: For lots smaller than 3,300 sf, impervious cover is assumed at 75% for each lot.
25-8-92 and 30-5-92 CRITICAL WATER QUALITY ZONES ESTABLISHED.	(B) In the suburban watersheds, a critical water quality zone is established along each waterway classified under Section 25-8-91 ( <i>Waterway Classifications</i> ).	
	(1) for a minor waterway, the boundaries of the critical water quality zone are located 100 feet from the centerline of the waterway;	In accordance with the Consent Agreement, Sections 25-8-92(B)(1) and 30-5-92(B)(1) are modified such that for a minor waterway, the boundaries of the critical water quality zone are located 50 feet from the centerline of the waterway.
	(4) The critical water quality zone boundaries may be reduced to not less than 50 feet from the centerline of a minor waterway, 100 feet from the centerline of an intermediate waterway, and 150 feet from the centerline of a major waterway if the overall surface area of the critical water quality zone is the same or greater than the surface area that would be provided without the reduction, as prescribed in the Environmental Criteria Manual.	Section 25-8-92(B)(4) and 30-5-92(B)(4) are modified such that for a minor waterway, the minor waterway may be reduced and replaced on a one to one basis using one of the methods listed below:  a) Providing a 50 foot setback from the centerline of waterways having a contributing drainage area of less than 64 acres, as long as it is an extension of a CWQZ for a minor waterway, and/or  b) Increasing the buffer width established by the 50' centerline setback (total width of 100 feet centered on the waterway) to an average width of 200' for waterways having a contributing drainage area of less than 320 acres. The added buffer width does not need to be centered on the waterway centerline.
		c) If the mitigation area is an intermediate or major waterway, then it must be restored to "Good" or "Excellent" condition, as specified in the code modification to Section 25-8-261(G) and 30-5-261(G).
		c) Additional mitigation methodologies may be presented to and reviewed for approval by the Watershed Protection Department, which may include but not be limited to such factors as the preservation of otherwise unprotected riparian zones or other features having superior environmental value.
		d) Buffer zones shall be tracked utilizing Exhibit J: Buffer Zone Transfer figure and Exhibit K: Setback/Waterway Buffer Zone Transferring and Receiving Restrictive Covenant. Modifications to Exhibit K may be made, if agreed upon by the Director of Watershed Protection and the Applicant, without requiring a PUD amendment.
25-8-231 and 30-5-231 WATER QUALITY CONTROL MAINTENANCE AND INSPECTION.	(G) Until the City accepts a residential pond for maintenance, the record owner(s) of the residential pond and the residential development served shall maintain the residential pond in accordance with the ECM standards.  (H) The City shall be responsible for maintenance of a residential pond only after the residential pond has been accepted for maintenance by the city. The city will accept a residential pond upon determining that it meets the requirements of the Environmental Criteria Manual and, if applicable, Section 25-8-234 ( <i>Fiscal Security In The Barton Springs Zone</i> ).	Sections 25-8-231 and 30-5-231 ( <i>Water Quality Control Maintenance and Inspection</i> ) are modified to provide that a water quality control facility located in an open space or right-of-way land use area, prior to full purpose annexation of the area, will be financed, operated and maintained by the Property Owner or Developer or District(s). The Declaration of Easements and Restrictive Covenants Regarding the Maintenance of Drainage Facilities shown in Exhibit I shall be used for each development application, where applicable. Modifications to this agreement may be made, if agreed upon by the City and the Applicant, without requiring a PUD amendment. Upon full purpose annexation by the City, the City will accept and maintain all detention basins on the Property.
25-8-261(B)(3) and 30-5-261(B)(3) CRITICAL WATER QUALITY ZONE DEVELOPMENT.	In all watersheds, development is prohibited in a critical water quality zone except as provided in this Division. Development allowed in the critical water quality zone under this Division shall be revegetated and restored within the limits of construction as prescribed by the Environmental Criteria Manual.	Sections 25-8-261 and 30-5-261 (Critical Water Quality Zone Development) are modified as follows:

CODE REFERENCE	CURRENT CODE LANGUAGE	PROPOSED PUD LANGUAGE / CODE MODIFICATION
	<p>(B)(3)(e) A hard surfaced trail that does not cross the critical water quality zone may be located within the critical water quality zone only if: located not less than 50 feet from the centerline of a minor waterway, 100 feet from the centerline of an intermediate waterway, and 150 feet from the centerline of a major waterway if within a watershed other than an urban watershed and not crossing the Critical Water Quality Zone.</p>	<p>(B)(3)(e) is modified to allow a hard surfaced trail to run parallel to the creek closer than otherwise allowed by this section to provide below-grade crossings under major arterial roadways, as long as the length of trail within the otherwise restricted area is limited to that necessary based on functionality, accessibility standards, or making a transition between within and outside the restricted zone and is placed outside the erosion hazard zone. If it is not feasible to place the trail outside of the erosion hazard zone, then the creek bank may be armored to the extent necessary to protect the trail from erosion damage.</p>
<p>25-8-261(G) and 30-5-261(G) CRITICAL WATER QUALITY ZONE DEVELOPMENT.</p>	<p>(G) Floodplain modifications are prohibited in the critical water quality zone unless: (1) the floodplain modifications proposed are necessary to protect the public health and safety; (2) the floodplain modifications proposed would provide a significant, demonstrable environmental benefit, as determined by a functional assessment of floodplain health as prescribed by the Environmental Criteria Manual, or (3) the floodplain modifications proposed are necessary for development allowed in the critical water quality zone under Section 25-8-261 (Critical Water Quality Zone Development) or 25-8-262 (Critical Water Quality Zone Street Crossings).</p>	<p>G)(2) is clarified such that ecological restoration or enhancement of creek corridors as required in the PUD that result in floodplain modifications shall be as follows:</p> <ul style="list-style-type: none"> <li>• The condition of all CWQZ for intermediate and major waterways shall be assessed using the Zone 2 functional assessment methodology described in Appendix X of the Environmental Criteria Manual. (Zone 2 is the area from the edge of the active channel to the edge of the CWQZ.)</li> <li>• All CWQZs found to be in "Poor (1)" or "Fair (2)" condition shall be restored to "Good (3)" or "Excellent (4)" condition; CWQZs found to be in "Good (3)" or "Excellent (4)" condition shall not be disturbed except as otherwise allowed by code and this PUD ordinance.</li> <li>• The applicant shall prepare a Riparian Restoration Plan demonstrating that all parameters of the Appendix X "Scoring: Zone 2 - Critical Water Quality Zone" table shall be raised to "Good (3)" or "Excellent (4)" condition.</li> <li>• The Zone 2 functional assessment of existing conditions and the Riparian Restoration Plan shall be submitted, reviewed, and approved with each residential subdivision or commercial site plan that includes the CWQZ for intermediate and major waterways.</li> </ul>
<p>25-8-262 and 30-5-262 CRITICAL WATER QUALITY ZONE STREET CROSSINGS.</p>	<p>(A) In an urban watershed, an arterial, collector, or residential street may cross a critical water quality zone of any waterway.</p> <p>(B) This subsection applies in a watershed other than an urban watershed.</p> <p>(1) A major waterway critical water quality zone may be crossed by an arterial street identified in the Transportation Plan.</p> <p>(2) An intermediate waterway critical water quality zone may be crossed by an arterial or collector street, except:</p> <p>(a) a collector street crossing must be at least 2,500 feet from a collector or arterial street crossing on the same waterway; or</p> <p>(b) in a water supply suburban or water supply rural watershed, or the Barton Springs Zone, a collector street crossing must be at least one mile from a collector or arterial street crossing on the same waterway.</p>	<p>Sections 25-8-262 and 30-5-262 (<i>Critical Water Quality Zone Street Crossings</i>) are modified as follows:</p> <ul style="list-style-type: none"> <li>• The existing crossing of Cottonmouth Creek by Colton Bluff Springs Road may be modified, realigned, shifted or replaced without triggering restrictions under section (B)(1).</li> <li>• With the realignment of FM 1625, section (B)(2)(a) is modified to allow the intermediate waterway portion of North Fork Dry Creek to be crossed by one collector street or larger classification roadway at a minimum spacing of 1,000 feet.</li> <li>• Section (B)(3)(a) and (B)(4) are modified such that roadways, including locals and residential, may cross a minor critical water quality zone at a minimum spacing of 900 feet.</li> <li>• These locations are shown on Exhibit L: Proposed Waterway Crossings. They may be modified administratively and additional crossings may be approved by the director.</li> </ul>
	<p>(3) A minor waterway critical water quality zone may be crossed by an arterial and collector streets, except:</p> <p>(a) a collector street crossing must be at least 1,000 feet from a collector or arterial street crossing on the same waterway; or</p> <p>(b) in a water supply suburban or water supply rural watershed, or the Barton Springs Zone, a collector street crossing must be at least 2,000 feet from a collector or arterial street crossing on the same waterway.</p> <p>(4) A minor waterway critical water quality zone may be crossed by a residential or commercial street if necessary to provide access to property that cannot otherwise be safely accessed.</p> <p>(C) In all watersheds, multi-use trails may cross a critical water quality zone of any waterway.</p> <p>(D) Notwithstanding subsections (A) and (B) and except in the Barton Springs Zone, a street or driveway may cross the critical water quality zone</p>	

CODE REFERENCE	CURRENT CODE LANGUAGE	PROPOSED PUD LANGUAGE / CODE MODIFICATION
	<p>if the street or driveway is located in a center or corridor as identified on the growth concept map of the Imagine Austin Comprehensive Plan, as adopted by Ordinance No. 20120614-058, and if the proposed crossing:</p>	
	<p>(1) is necessary to facilitate the development or redevelopment of a designated corridor or center as recommended in the Imagine Austin Comprehensive Plan, Chapter 4 (Shaping Austin: Building the Complete Community), growth concept map and related definitions; and</p> <p>(2) maintains the quality and quantity of recharge if located in a center or corridor designated as a sensitive environmental area in the Edwards Aquifer recharge zone, Edwards Aquifer contributing zone, or the South Edwards Aquifer recharge zone, as determined by the director of the Watershed Protection Department.</p>	
<p>25-8-282 and 30-5-282 WETLAND PROTECTION</p>	<p>(A) Wetlands must be protected in all watersheds except in the bounded by Interstate 35, Riverside Drive, Barton Springs Road, Lamar Boulevard, and 15th Street.</p> <p>(B) Protection methods for wetlands include:</p> <p>(1) appropriate setbacks that preserve the wetlands or wetland functions;</p> <p>(2) wetland mitigation, including wetland replacement;</p> <p>(3) wetland restoration or enhancement; or</p> <p>(4) use of a wetlands for water quality controls.</p> <p>(C) The director of the Watershed Protection Department may approve:</p> <p>(1) the removal and replacement of a wetland; or</p> <p>(2) the elimination of setbacks from a wetland that is proposed to be used as a water quality control.</p>	<p>Sections 25-8-282 and 30-5-282 (<i>Wetland Protection</i>) are modified to add that wetland provision and mitigation are tracked using Exhibit M: Wetland Transfers and Exhibit N: Wetland Transferring and Receiving Restrictive Covenant, so that mitigation for a removed wetland may occur in a current phase of development in order to provide mitigation for removal in a future phase of development.</p>
<p>25-8-392 and 30-5-392 UPLANDS ZONE.</p>		<p>Sections 25-8-392 and 30-5-392 (<i>Uplands Zone</i>) are modified to allow 65 percent impervious cover ("Total PUD Impervious Cover") based on gross site area of the Property. Based on a gross site area of 2216.64 acres, the PUD is allowed a total impervious cover of 1440.86 acres. The maximum allowable impervious cover for each individual site within the Property is based on Exhibit P: Impervious Cover Map.</p>
<p>25-8-642 ADMINISTRATIVE VARIANCE.</p>		<p>Section 25-8-642 (<i>Administrative Variance</i>) is modified as follows:</p>
		<ol style="list-style-type: none"> <li>1. Removal of a heritage tree may be reviewed and granted administratively if required for the construction of either William Cannon Drive or Slaughter Lane. Areas of potential impact are shown in Exhibit Q: Potential Protected and Heritage Tree Impact Areas.</li> <li>2. Relocation of a heritage tree is not considered removal.</li> </ol>

# LAND USE PLAN WITH ENVIRONMENTAL FEATURES

DRAFT: August 10, 2015



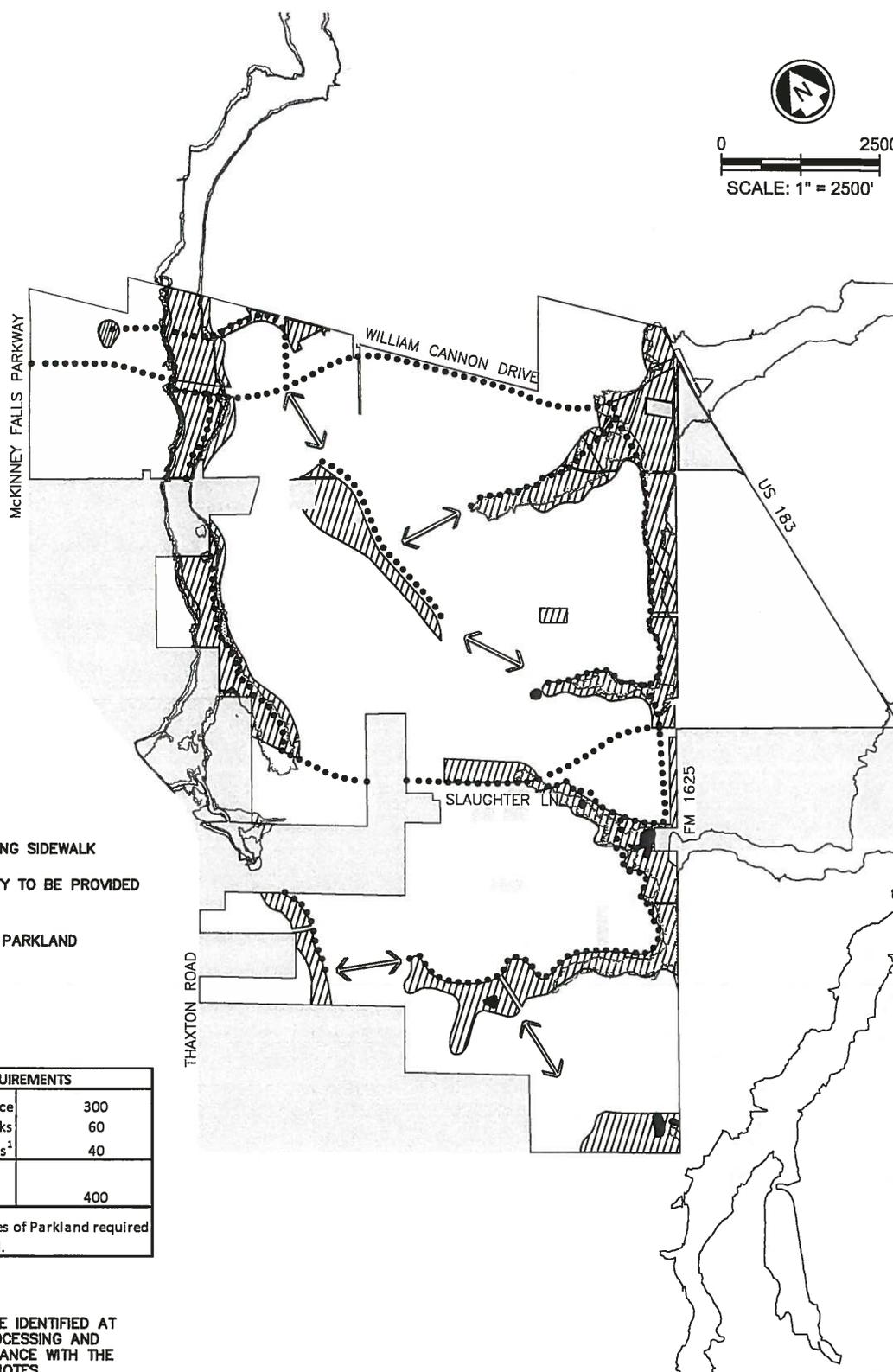
PROPOSED LAND USE AREAS	APPROXIMATE ACREAGE	PROPOSED MAXIMUM DENSITY	PROPOSED PERMITTED USES
MR - MIXED RESIDENTIAL	~ 1,400 AC	Up to: 9,300 DUs; 550,000 SF Civic/Commercial	MIX OF SINGLE FAMILY RESIDENTIAL (DETACHED & ATTACHED), MULTI-FAMILY RESIDENTIAL, NEIGHBORHOOD-SERVING COMMERCIAL AND CIVIC USES
EC - EMPLOYMENT CENTER	~ 90 AC	Up to: 1,500 DUs; 750,000 SF Civic/Commercial/Industrial	MIX OF EMPLOYMENT, CIVIC, SINGLE AND MULTI-FAMILY RESIDENTIAL USES, LIGHT INDUSTRIAL, HOTEL, COMMERCIAL
TC - TOWN CENTER	~ 200 AC	Up to: 3,500 DUs; 4,000,000 SF Civic/Commercial	MIX OF COMMERCIAL, CIVIC, MULTI-FAMILY AND ATTACHED SINGLE FAMILY RESIDENTIAL USES AT AN URBAN DENSITY, HOTEL
OS - OPEN SPACE	~ 360 AC	Up to: 50,000 SF Civic/Commercial	GREENWAYS, TRAILS, PARKS AND RECREATIONAL AREAS, WITH CIVIC AND LIMITED COMMERCIAL USES PERMITTED

- NOTES:
1. A fire station site will be donated to the City of Austin within the PUD, as described in Exhibit E of the Pilot Knob MUD Consent Agreement.
  2. The only existing roads within the Project Area are Colton Bluff Springs Road, Sassman Road and FM 1625.
  3. A 10-acre intermodal transit station will be located along Slaughter Lane in or near the Town Center (TC) area.
  4. Open Space boundaries and roadway alignments are subject to change and will be finalized at final plan.
  5. So long as uses are permitted in a land use area, residential maximum allowable densities may be transferred from one land use area to another provided that the overall PUD maximums are not exceeded.

**EXHIBIT C**  
**REC'D 8-12-2015**



0 2500  
SCALE: 1" = 2500'



**LEGEND**

- TRAIL / MEANDERING SIDEWALK
- ↔ TRAIL CONNECTIVITY TO BE PROVIDED
- ▨ OPEN SPACE AND PARKLAND
- WETLAND/PONDS

**CONSENT AGREEMENT REQUIREMENTS**

Greenbelt/Open Space	300
Developed Pocket Parks	60
Gated Parks <sup>1</sup>	40
<b>Total greenbelt parkland/developed pocket park/gated park</b>	<b>400</b>

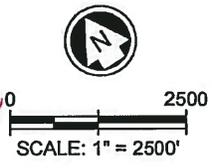
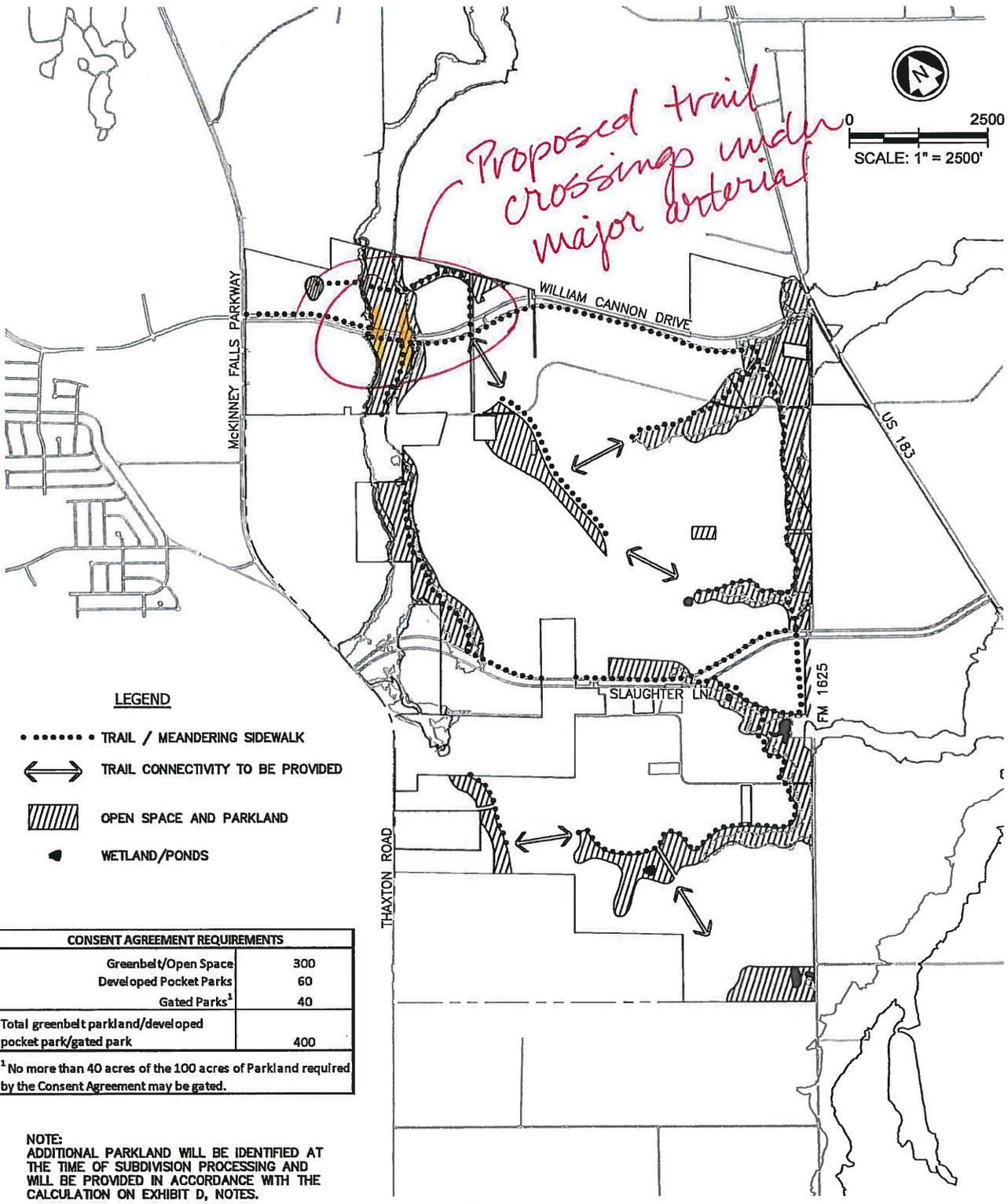
<sup>1</sup> No more than 40 acres of the 100 acres of Parkland required by the Consent Agreement may be gated.

**NOTE:**  
ADDITIONAL PARKLAND WILL BE IDENTIFIED AT THE TIME OF SUBDIVISION PROCESSING AND WILL BE PROVIDED IN ACCORDANCE WITH THE CALCULATION ON EXHIBIT D, NOTES.

**EXHIBIT D  
CONCEPTUAL PARKS AND OPEN SPACE PLAN  
PILOT KNOB PUD  
AUSTIN, TRAVIS COUNTY, TEXAS**

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REC'D 8-11-2015



**LEGEND**

- ..... TRAIL / MEANDERING SIDEWALK
- ↔ TRAIL CONNECTIVITY TO BE PROVIDED
- ▨ OPEN SPACE AND PARKLAND
- WETLAND/PONDS

CONSENT AGREEMENT REQUIREMENTS	
Greenbelt/Open Space	300
Developed Pocket Parks	60
Gated Parks <sup>1</sup>	40
<b>Total greenbelt parkland/developed pocket park/gated park</b>	<b>400</b>

<sup>1</sup> No more than 40 acres of the 100 acres of Parkland required by the Consent Agreement may be gated.

NOTE:  
ADDITIONAL PARKLAND WILL BE IDENTIFIED AT THE TIME OF SUBDIVISION PROCESSING AND WILL BE PROVIDED IN ACCORDANCE WITH THE CALCULATION ON EXHIBIT D, NOTES.

**EXHIBIT D-1**  
**CONCEPTUAL PARKS AND OPEN SPACE PLAN**  
**PILOT KNOB PUD**  
**AUSTIN, TRAVIS COUNTY, TEXAS**

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REC'D 8-12-2015

**Exhibit D, Notes**  
**Parkland and Open Space Requirements in the PUD:**

Pursuant to Section 25-1-601 (Applicability) and the provisions of Article VIII (Parks and Recreational Facilities and Other Community Amenities) of the Consent Agreement, the private and public parkland, open space, greenbelts, and trails described in this PUD will satisfy all of the parkland dedication requirements. Park Land and Open Space will be owned by the Pilot Knob Municipal Utility District(s) and will be maintained by either the Home Owners Association or the MUD(s). Park Land and Open Space provided by the PUD will be tracked using the Park Land and Open Space Tracking Sheet provided as Exhibit P.

**A. MUD CONSENT AGREEMENT**

The PUD will provide minimum parkland and open space acreages as follows:

1. At least 300 acres of open space (including regional detention and parkland and trails) as conceptually illustrated on Exhibit D (Conceptual Parks and Open Space Plan), and in addition, at least 100 acres of improved parkland with amenities shall be provided. For this calculation, floodplain and detention areas may be included as open space, as was contemplated with the MUD consent agreement.
2. Other than gated areas owned and operated by the Owners Association (which would not collectively exceed 40 acres throughout the PUD), the park and open space areas will be open to the public.
3. Parks and publicly accessible open space will be dispersed throughout the PUD, and located within one-quarter (1/4) mile of each residence where feasible/practical and accessible by pedestrians and cyclists in all PUD neighborhoods.
4. The parks and recreational facilities for the PUD will in general be designed to comply with the accessibility requirements of the Americans with Disabilities Act and will meet any applicable consumer product safety standards. Some trails, such as those with a soft (mulch) surface, may not meet accessibility standards.
5. Open space is required as a percentage of land use as follows:

Land Use	% Open Space Required
Residential	10%
Commercial	20%

The provision of open space may be deferred for a subdivision or site plan if at least 75% of the total parkland and open space required by the current and all

previous plats has been designated, notwithstanding the requirements of Chapter 25-2, Subchapter E. This provision does not waive the required open space but instead seeks to defer the provision of open space to a later stage of development.

**B. LAND DEDICATION**

Provision of parkland within the PUD will be as follows:

1. Parkland acreage shall be dedicated to the Pilot Knob MUD(s) in accordance with the number of residential units proposed and in the configuration shown in Exhibit D: Conceptual Parks and Open Space plan. Land to be dedicated will be labeled Park on the Preliminary Plan, if a Preliminary Plan is required, and on the Final Plat. It shall be dedeed to the MUD once the proposed improvements are complete and reasonable access for maintenance exists to the parkland.
2. Parkland is required on the basis of ten acres per 1000 residents, and is calculated as follows:

$$\text{Parkland (acres)} = \frac{10 \times (\text{Number of Residential Units}) \times (\text{Residents per Unit})}{1000}$$

where the “residents per unit” is assumed to be:

Dwelling Units per Acre	Residents per Dwelling Unit
Not more than 6	2.8
More than 6 and not more than 12	2.2
More than 12	1.7

3. For the purposes of the PUD, Park Land (or parkland) may include 50 percent credit of 25 year floodplain that is part of a linear greenbelt system including a trail; and 50 percent credit of 100 year floodplain acreage. Parkland acreage counts towards Open Space requirements.
4. The provision of parkland may be deferred for a subdivision or site plan if at least 75% of the total parkland required by the current and all previous plats has been designated. Subdivisions or site plans that seek to use this provision should demonstrate pedestrian and bicycle accessibility to an existing or proposed park within ¼ mile of residences. This provision does not waive the required parkland

but instead seeks to defer the provision of parkland to a later stage of development.

5. Except for linear greenbelt systems as denoted in #3, Open Space may only count as parkland if it meets Department of Park and Recreation Standards.
6. In accordance with Section C below, any park construction amounts above the \$400 residential LUE owed, excluding amounts paid for gated park facilities and trail construction from Section C.2., may be converted to a fee-in-lieu of land for up to 40 acres of parkland owed. The converted acreage will be shown on the tracking sheet and calculated via the following:

Each acre of parkland shall be equivalent to the fair market value of undeveloped property within the PUD area, as obtained from the Travis County Appraisal District (TCAD).

Example:

$$\begin{array}{rcll} \text{Fee in lieu of} & = & 2 \text{ acres} & * \text{ } \$15,000/\text{acre (exact amount} \\ \text{2 acres of parkland} & & & \text{will be per TCAD)} \\ & = & \$30,000 & \end{array}$$

#### C. PARK IMPROVEMENT REQUIREMENTS

1. The Parks and Recreation Board Guidelines, Parkland and Recreation Facility Standards For Municipal Utility Districts, adopted November 27, 1984, recommends park improvements amounting to \$200 per residential living unit equivalent (LUE). The Pilot Knob PUD shall provide at least \$400 per residential living unit equivalent. The improvements shall be shown on Final Plat construction documents or site plans. The construction dollar amount for parks and trails open to the public shall be tracked using Exhibit E, "Park Land and Open Space Tracking Sheet". Costs for private facilities not open to the public will not be shown on the Tracking Sheet.
2. A minimum of ten miles of trails open to the public shall be provided throughout the PUD, as shown in the approximate locations on Exhibit D.
  - i.) Land in the approximate location of a trail on Exhibit D that is planned to be part of the Pilot Knob PUD trail/greenbelt system will be included as a lot in the Final Plat of the last adjacent area surrounding the trail/greenbelt. The lot will be labeled Greenbelt Park on the Preliminary Plan, if a Preliminary Plan is required, and on the Final Plat. Fiscal surety for trail construction shall be posted with the City of Austin prior to plat

approval. The land shall be deeded to the MUD and the fiscal surety refunded once the proposed trail improvements are complete and reasonable access for maintenance exists.

- ii.) Required trail segments to be constructed shall be shown on Final Plat construction documents or site plans.
  - iii.) Specific trail alignments, designs and specifications will be approved by the City of Austin during the subdivision construction or site plan approval process.
  - iv.) At least one public access easement or public right-of-way connecting neighborhoods to trail alignments shall be provided and those easements shall be a minimum of 15 feet in width.
3. If the trails and parkland shown in Exhibit D have been constructed and the Tracking Sheet shows that the PUD is above 100% of park construction amounts owed per residential LUE, the amount of parkland improvement dollars above 100% may be credited to any subdivision or site plan to offset up to the equivalent portion of the \$400 per residential LUE in improvements owed or towards Section B.6. for fee-in-lieu of land.

D. FINAL PLAT NOTE

If parkland is not owed on a final plat, according to the Preliminary Plan, a note will be added to the final plat saying that Parkland Dedication has been satisfied in accordance with PUD ordinance no. \_\_\_\_\_. If parkland is owed, a note will be added to the final plat stating the number of acres provided to the applicable MUD and stating a cumulative acreage provided to date for the entire PUD area.



## EXHIBIT F: PERMITTED LAND USES (p. 1 of 4)

DRAFT: AUGUST 5, 2015

ZONING USE SUMMARY TABLE				
	P = Permitted Use    C = Conditional Use Permit    NP = Not Permitted			
RESIDENTIAL USES	TC	EC	MR	OS
Bed & Breakfast (Group 1)	P	P	P	NP
Bed & Breakfast (Group 2)	P	P	P	NP
Condominium Residential	P	P	P	NP
Conservation Single Family	NP	NP	P	NP
Duplex Residential	P*	P*	P*	NP
Group Residential	NP	P	NP	NP
Mansion House (4/6-Plex)	NP	P	P	NP
Mobile Home Residential	NP	NP	NP	NP
Multifamily Residential	P	P	P	NP
Retirement Housing (Small Site)	P	P	P	NP
Retirement Housing (Large Site)	P	P	P	NP
Rowhouse	P	P	P	NP
Shophouse	P	P	P	NP
Short - Term Rental	P	P	P	NP
Single-Family Attached Residential	P	P	P	NP
Single-Family Residential	P	P	P	NP
Small Lot Single-Family Residential	P	P	P	NP
Townhouse Residential	P	P	P	NP
Two-Family Residential	P*	P*	P*	NP
Yard House	NP	P	P	NP
COMMERCIAL USES	TC	EC	MR	OS
Administrative and Business Offices	P	P	P	NP
Agricultural Sales and Services	C*	NP	NP	NP
Alternative Financial Services	P	P	P	NP
Art Gallery	P	P	P	NP
Art Workshop	P	P	P	NP
Automotive Rentals	P*	P*	NP	NP
Automotive Repair Services	NP	P	NP	NP
Automotive Sales	P	P	NP	NP
Automotive Washing (of any type)	NP	P	C*	NP
Ball Bond Services	P	P	C	NP
Building Maintenance Services	NP	P	NP	NP
Business or Trade School	P	P	P	NP
Business Support Services	P	P	NP	NP
Campground	NP	NP	NP	C*
Carriage Stable	NP	NP	NP	C*
Cocktail Lounge	P	P	P*	P*
Commercial Blood Plasma Center	P	P	C*	NP
Commercial Off-Street Parking	P	P	P	NP
Communications Services	P	P	P	NP
Construction Sales and Services	C*	P	NP	NP
Consumer Convenience Services	P	P	P	NP

REC'D 8-11-2015

**EXHIBIT F: PERMITTED LAND USES (p. 2 of 4)**

DRAFT: AUGUST 5, 2015

COMMERCIAL USES, continued	TC	EC	MR	OS	
Consumer Repair Services	P	P	P	NP	
Convenience Storage	NP	NP	NP	NP	
Drop-Off Recycling Collection Facility	C*	C	NP	NP	* Allowed along highway or major arterials: William Cannon Dr., Slaughter Ln., McKinney Falls Pkwy., FM 1625 and US 183.
Electronic Prototype Assembly	P	P	NP	NP	
Electronic Testing	NP	P	NP	NP	
Equipment Repair Services	NP	NP	NP	NP	
Equipment Sales	NP	NP	NP	NP	
Exterminating Services	NP	NP	NP	NP	
Financial Services	P	P	P	NP	
Food Preparation	P	P	P	NP	
Food Sales	P	P	P	P*	*A single occupant may not exceed 500 square feet.
Funeral Services	NP	NP	NP	NP	
General Retail Sales (Convenience)	P	P	P	NP	
General Retail Sales (General)	P	P	P	NP	
Hotel-Motel	P	P	P	NP	
Indoor Entertainment	P	P	P	NP	
Indoor Sports and Recreation	P	P	P	NP	
Kennels	P*	P*	NP	NP	* A kennel use must be conducted entirely within an enclosed structure.
Laundry Services	P*	P*	NP	NP	* A single occupant may not exceed 2,000 square feet.
Liquor Sales	P	P	P	NP	
Marina	NP	NP	NP	NP	
Medical Offices -- exceeding 5000 sq. ft. gross floor area	P	P	P	NP	
Medical Offices -- not exceeding 5000 sq. ft. gross floor area	P	P	P	NP	
Monument Retail Sales	NP	NP	NP	NP	
Off-Site Accessory Parking	P	P	P	NP	
Outdoor Entertainment	P	P	P	P	
Outdoor Sports and Recreation	P	P	P	P	
Pawn Shop Services	NP	NP	NP	NP	
Pedicab Storage and Dispatch	P	P	C	C	
Personal Improvement Services	P	P	P	NP	
Personal Services	P	P	P	NP	
Pet Services	P	P	P	NP	
Plant Nursery	P	P	P	P	
Printing and Publishing	NP	NP	NP	NP	
Professional Office	P	P	P	NP	
Recreational Equipment Maint. & Stor.	NP*	NP*	NP*	NP*	* Allowed if part of a Parks and Recreation Services (General) or (Special) use.
Recreational Equipment Sales	NP	NP	NP	NP	
Research Assembly Services	P	P	NP	NP	
Research Services	P	P	NP	NP	
Research Testing Services	P	P	NP	NP	
Research Warehousing Services	NP	P	NP	NP	
Restaurant (General)	P	P	P	P	
Restaurant (Limited)	P	P	P	P	
Scrap and Salvage	NP	NP	NP	NP	
Service Station	P*	P	P**	NP	* May have the capability of fueling not more than eight vehicles at one time, unless located along US 183. ** If part of a shopping center.
Software Development	P	P	P	NP	
Special Use Historic	NP	NP	NP	NP	
Stables	NP	NP	NP	P	
Theater	P	P	P	P	
Vehicle Storage	NP	NP	NP	NP	
Veterinary Services	NP	NP	NP	NP	

## EXHIBIT F: PERMITTED LAND USES (p. 3 of 4)

DRAFT: AUGUST 5, 2015

CIVIC USES	TC	EC	MR	OS	
Administrative Services	P	P	P	NP	
Aviation Facilities	NP	NP	NP	P	
Camp	NP	NP	NP	NP	
Cemetery	NP	NP	NP	NP	
Club or Lodge #	P	P	P	P	
College and University Facilities	P	P	P	NP	
Communication Service Facilities	P	P	P	P	
Community Events	P	P	P	P	
Community Recreation (Private)	P	P	P	P	
Community Recreation (Public)	P	P	P	P	
Congregate Living	P	P	C*	NP	* Allowed if no more than 30 residents.
Convalescent Services	P	P	C*	NP	* Allowed if no more than 30 residents.
Convention Center	NP	NP	NP	NP	
Counseling Services	P	P	P	NP	
Cultural Services	P	P	P	P	
Day Care Services (Commercial)	P	P	P	P	
Day Care Services (General)	P	P	P	P	
Day Care Services (Limited)	P	P	P	P	
Detention Facilities	NP	NP	NP	NP	
Employee Recreation	P	P	P	NP	
Family Home	P	P	P	NP	
Group Home, Class I (General)	P	P	P	NP	
Group Home, Class I (Limited)	P	P	P	NP	
Group Home, Class II	P	P	P	NP	
Guidance Services	P	P	P	NP	
Hospital Services (General)	P	P	P	NP	
Hospital Services (Limited)	P	P	P	NP	
Local Utility Services	P	P	P	P	
Maintenance and Service Facilities	NP	NP	NP	C*	* Allowed only if use is supporting/maintaining open space, recreational, landscape uses.
Major Public Facilities	C	C	C	C	
Major Utility Facilities	C	C	C	C	
Military Installations	NP	NP	NP	NP	
Park and Recreation Services (General)	P	P	P	P	
Park and Recreation Services (Special)	P	P	P	P	
Postal Facilities	P	P	NP	NP	
Private Primary Educational Facilities	P	P	P	P	

**EXHIBIT F: PERMITTED LAND USES (p. 4 of 4)**

DRAFT: AUGUST 5, 2015

CIVIC USES, continued				
	TC	EC	MR	OS
Private Secondary Educational Facilities	P	P	P	P
Public Primary Educational Facilities	P	P	P	P
Public Secondary Educational Facilities	P	P	P	P
Railroad Facilities	NP	NP	NP	NP
Religious Assembly	P	P	P	P
Residential Treatment	NP	NP	NP	NP
Safety Services	P	P	P	P
Telecommunication tower – subject to 25-2-839 (13-2-235 and 13-2-273)	P*	P*	C	C
* A telecommunications tower must be located on top of a building or be an architectural component of the building. Free standing towers are prohibited. Existing towers are to be allowed as shown on the Land Use Plan.				
Transitional Housing	NP	NP	NP	NP
Transportation Terminal	P	P	NP	NP
INDUSTRIAL USES				
	TC	EC	MR	OS
Basic Industry	NP	NP	NP	NP
Custom Manufacturing	P*	P	P**	NP
* A single occupant may not exceed 5,000 square feet of gross floor area or produce external noise, vibration, smoke, odor, heat, glare, fumes, electrical interference or waste runoff. Outdoor storage of materials and wholesale distribution of goods is prohibited. **A single occupant may not exceed 2,500 square feet of gross floor area or produce external noise, vibration, smoke, odor, heat, glare, fumes, electrical interference or waste runoff. Outdoor storage of materials and wholesale distribution of goods is prohibited.				
General Warehousing and Distribution	NP	P	NP	NP
Light Manufacturing	NP	P	NP	NP
Limited Warehousing and Distribution	NP	P	NP	NP
Recycling Center	NP	NP	NP	NP
Resource Extraction	NP	NP	NP	NP
AGRICULTURAL USES				
	TC	EC	MR	OS
Animal Production	NP	NP	NP	NP
Community Garden	P	P	P	P
Crop Production	NP*	NP*	NP*	NP*
* Allowed until site is developed in accordance with the PUD				
Horticulture	NP	NP	NP	NP
Support Housing	NP	NP	NP	NP
Urban Farm	P	P	P	P

**EXHIBIT G: SITE DEVELOPMENT REGULATIONS (p. 1 of 4)**

DRAFT: AUGUST 5, 2015

<b>MIXED RESIDENTIAL AREA (MR)</b>							
	<b>RESIDENTIAL DETACHED (YARD HOUSE AND OTHERS)</b>	<b>ZERO LOT LINE DETACHED (YARD HOUSE)</b>	<b>RESIDENTIAL ATTACHED (ROW/SHOP HOUSE)</b>	<b>RESIDENTIAL 3- TO 6-PLEX (MANSION HOUSE)</b>	<b>RESIDENTIAL MULTI-FAMILY</b>	<b>CIVIC</b>	<b>COMMERCIAL</b>
Minimum Lot Size	1,200 SF 1,400 SF (on corner lots)	1,200 SF 1,400 SF (on corner lots)	600 SF 800 SF (on corner lots)	6,000 SF	12,500 SF	2,500 SF	2,500 SF
Minimum Lot Width	20 FT. 25 FT. on corner lots	20 FT. 25 FT. on corner lots	14 FT 19 FT. on corner lots	50 FT.	80 FT.	25 FT.	25 FT.
Maximum Height	40 FT. and 3 stories	40 FT. and 3 stories	40 FT. and 3 stories	40 FT. and 3 stories	65 FT.	65 FT.	65 FT.
Minimum Front Yard Setback	5 FT.	5 FT.	5 FT.	5 FT.	5 FT.	0 FT.	0 FT.
Minimum Street Side Yard Setback	5 FT.	5 FT.	5 FT.	5 FT.	5 FT.	0 FT.	0 FT.
Minimum Interior Side Yard Setback	3 FT.-1 IN. <sup>1</sup>	0 FT. <sup>2</sup>	0 FT.	5 FT.	10 FT.	0 FT.	0 FT.
Minimum Rear Yard Setback	5 FT.	5 FT.	5 FT.	5 FT.	5 FT.	0 FT.	0 FT.
Maximum Impervious Cover	75%	75%	95%	75%	90%	90%	90%

**FOOTNOTES:**

1. A minimum side yard setback of 3'-1" is permitted (measured from face of building to property line) provided that the adjoining side yard setback is a minimum of 3'-11" to create a face-of-building to face-of-building clear space of at least seven (7) feet.
2. One side of a zero lot line Yard House exterior wall may be located on one of the lot's side property lines, however, the exterior sideyard-facing building walls of adjoining lots must be separated by a minimum of five (5) feet. (Access and/or maintenance easements may need to be created by individual builders or property owners to facilitate maintenance of buildings and/or areas that are located on or very close to an interior sideyard property line.

**GENERAL NOTES:**

1. Mixed use multi-family buildings with ground level commercial use shall follow commercial site development regulations.
2. Uncovered steps of a porch or stoop may project into a required yard.

REC'D 8-11-2015

**EXHIBIT G: SITE DEVELOPMENT REGULATIONS (p. 2 of 4)**  
DRAFT: AUGUST 5, 2015

<b>EMPLOYMENT CENTER (EC)</b>					
	<b>RESIDENTIAL DETACHED (YARD HOUSE AND OTHERS)</b>	<b>RESIDENTIAL ATTACHED (ROW/SHOP HOUSE)</b>	<b>RESIDENTIAL MULTI-FAMILY</b>	<b>CIVIC</b>	<b>COMMERCIAL</b>
Minimum Lot Size	1,200 SF 1,400 SF (on corner lots)	600 SF 800 SF on corner lots	12,500 SF	3,600 SF 4,000 SF on corner lots	3,600 SF
Minimum Lot Width	20 FT. 25 FT. on corner lots	14 FT 19 FT. on corner lots	80 FT.	50 FT.	50 FT.
Maximum Height	40 FT. and 3 stories	40 FT. and 3 stories	75 FT.	75 FT.	75 FT.
Minimum Front Yard Setback	5 FT.	5 FT.	5 FT.	0 FT.	0 FT.
Minimum Street Side Yard Setback	5 FT.	5 FT.	5 FT.	0 FT.	0 FT.
Minimum Interior Side Yard Setback	3 FT.-1 IN. <sup>1</sup>	0 FT.	10 FT.	10 FT.	10 FT.
Minimum Rear Yard Setback	5 FT.	5 FT.	5 FT.	10 FT.	10 FT.
Maximum Impervious Cover	75%	95%	95%	90%	90%

**FOOTNOTES:**

1. A minimum side yard setback of 3'-1" is permitted (measured from face of building to property line) provided that the adjoining side yard setback is a minimum of 3'-11" to create a face-of-building to face-of-building clear space of at least seven (7) feet.

**GENERAL NOTES:**

1. Mixed use multi-family buildings with ground level commercial use shall follow commercial site development regulations.
2. Uncovered steps of a porch or stoop may project into a required yard.

**EXHIBIT G: SITE DEVELOPMENT REGULATIONS (p. 3 of 4)**

DRAFT: AUGUST 5, 2015

<b>TOWN CENTER (TC)</b>					
	<b>RESIDENTIAL DETACHED (YARD HOUSE AND OTHERS)</b>	<b>RESIDENTIAL ATTACHED (ROW/SHOP HOUSE)</b>	<b>RESIDENTIAL MULTI-FAMILY</b>	<b>CIVIC<sup>2</sup></b>	<b>COMMERCIAL<sup>2</sup></b>
Minimum Lot Size	1,200 SF 1,400 SF (on corner lots)	600 SF 800 SF on corner lots	12,500 SF	2,500 SF	2,500 SF
Minimum Lot Width	20 FT. 25 FT. on corner lots	14 FT 19 FT. on corner lots	80 FT.	25 FT.	25 FT.
Maximum Height	40 FT. and 3 stories	40 FT. and 3 stories	120 FT.	120 FT.	120 FT.
Minimum Front Yard Setback	5 FT.	5 FT.	0 FT.	0 FT.	0 FT.
Minimum Street Side Yard Setback	5 FT.	5 FT.	5 FT.	0 FT.	0 FT.
Minimum Interior Side Yard Setback	3 FT.-1 IN. <sup>1</sup>	0 FT.	5 FT.	0 FT.	0 FT.
Minimum Rear Yard Setback	5 FT.	5 FT.	0 FT.	0 FT.	0 FT.
Maximum Impervious Cover	75%	95%	95%	100%	100%

**FOOTNOTES:**

1. A minimum side yard setback of 3'-1" is permitted (measured from face of building to property line) provided that the adjoining side yard setback is a minimum of 3'-11" to create a face-of-building to face-of-building clear space of at least seven (7) feet.
2. Parking facilities in Town Center may be retained in common for reciprocal use by Town Center commercial and office civic tenants (but such facilities are not required) and may (but need not) be included as part of the building lot

**GENERAL NOTES:**

1. Mixed use multi-family buildings with ground level commercial use shall follow commercial site development regulations.
2. Uncovered steps of a porch or stoop may project into a required yard.

**EXHIBIT G: SITE DEVELOPMENT REGULATIONS (p. 4 of 4)**

DRAFT: MAY 1, 2013

<b>OPEN SPACE (OS)</b>		
	<b>CIVIC</b>	<b>COMMERCIAL</b>
Minimum Lot Size	5,000 SF	5,000 SF
Minimum Lot Width	20 FT.	20 FT.
Maximum Height	35 FT.	35 FT.
Minimum Front Yard Setback	5 FT.	5 FT.
Minimum Street Side Yard Setback	5 FT.	5 FT.
Minimum Interior Side Yard Setback	0 FT.	0 FT.
Minimum Rear Yard Setback	0 FT.	0 FT.
Maximum Impervious Cover	75%	75%

## EXHIBIT H: OFF-STREET PARKING AND LOADING REGULATIONS

DRAFT: FEBRUARY 2, 2015

- (1) There is no off-street loading requirement for a building with less than 10,000 square feet (to be designated) of gross building area. The director shall determine the location, number, and dimensions of the off-street loading for a larger building. These may be located on certain streets in the on-street parking zone. Loading spaces may be shared between two different, but adjacent uses and/or properties. The Director may establish/approve other exceptions to Appendix A.
- (2) Except as approved by the Director, parking in alleys is prohibited.
- (3) This section established minimum vehicular parking requirements.
  - a. Except as otherwise provided in this subsection, a commercial use shall provide one parking space for every 500 square feet of gross building area.
  - b. An office use shall provide one parking space for every 500 square feet of gross building area.
  - c. A condominium residential, multi-family residential, group residential, Mansion House, or retirement housing use shall provide one parking space for the first bedroom of a dwelling unit and 0.5 parking space for each additional bedroom.
  - d. A townhouse residential, single-family residential, duplex residential, yard house, row house, shop house, group home or family home use shall provide two parking spaces for each dwelling unit. A yard house is not required to provide additional parking for an accessory dwelling unit if that accessory dwelling unit does not contain more than 700 square feet of gross building area. A shop house is not required to provide additional parking for a commercial use if that commercial use does not exceed 750 square feet.
  - e. An indoor entertainment use shall provide one parking space for every 15 seats.
  - f. An amphitheater shall provide one parking space for every 15 seats.
  - g. A community center shall provide one parking space for every 200 square feet of gross building area.
  - h. A sports playfield use shall provide eight parking spaces per field.
  - i. Off-street parking is not required for park and recreational facilities, community recreation facilities, community events facilities or outdoor sports and recreation facilities (such as neighborhood parks, pavilions, picnic shelters or tables, playgrounds, swimming pools, boat rental facilities, basketball/sport courts, or bike rental facilities, excepting playfields, as noted above).
  - j. The Director shall determine the parking requirement for any use not listed in this subsection.
- (4) In the Town Center (TC) land use area, the required parking for a use may be located anywhere in the land use area. Community parking facilities are encouraged.
- (5) In the Town Center (TC), Employment Center (EC), Mixed Residential (MR) and Open Space (OS) land use areas of the PUD, shared parking will be allowed between different properties. These will generally comply with the City of Austin's current shared parking regulations, but the Director may approve variances from these.
- (6) *Note: Accessible parking spaces must be located on the shortest possible accessible route of travel to an accessible building entrance. In facilities with multiple accessible building entrances with adjacent parking, accessible spaces must be dispersed and located near the accessible entrances. (Cited from IBC 1106.6)*
- (7) In all areas of the PUD, any off-street loading spaces are allowed to be located on-street, in the public ROW, on streets and drives that have such space designed for on-street parking. When located on-street, the minimum dimension of such off-street loading space may be reduced to 10 feet by 30 feet.
- (8) Adjacent properties may share and are encouraged to share off-street or on-street loading spaces.

REC'D 8-11-2015

**EXHIBIT I**

**DECLARATION OF EASEMENTS AND RESTRICTIVE COVENANTS  
REGARDING THE MAINTENANCE OF DRAINAGE FACILITIES**

This Declaration of Easements and Restrictive Covenants Regarding the Maintenance of Drainage Facilities for the Easton Park Development (this "Restrictive Covenant"), is executed by Carma Easton LLC, a Texas limited liability company ("Declarant"), and is as follows:

**GENERAL RECITALS:**

**DECLARANT:** Carma Easton LLC, a Texas limited liability company

**ADDRESS:** 9737 Great Hills Trail, Suite 260, Austin, Texas 78759

**CONSIDERATION:** Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by the City of Austin (the "City") to Declarant, the receipt and sufficiency of which are acknowledged.

**PROPERTY:** Declarant owns land (the "Property") within Travis County, more particularly described on **EXHIBIT A** attached and incorporated by reference.

**A. Definitions.**

1. Owners. The term "Owner" means, individually, and the term "Owners" means, collectively, Declarant and all future owners of the fee interest of any portion of the Property (whether such fee interest is obtained through a purchase from Declarant or through a purchase at a foreclosure sale or trustee's sale or through a deed in lieu of foreclosure) and their successors and assigns.
2. Facilities. The term "Facilities" means those drainage facilities that convey and receive stormwater runoff and that are more particularly described on **EXHIBIT B** attached and incorporated by reference.
3. District. The term "District" means the Pilot Knob Municipal Utility District No. 3, a political subdivision of the State of Texas created and operating under Article XVI, Section 59 of the Texas Constitution and Chapters 49 and 54 of the Texas Water Code.

**B. Declaration.**

Each contract, deed or conveyance of any kind conveying all or a portion of the Property will conclusively be held to have been executed, delivered, and accepted subject to the following covenants, conditions and restrictions, regardless of whether or not they are set out in full or by reference in said contract, deed or conveyance. Declarant declares that the Property is subject to

the following covenants, conditions and restrictions which run with the Property and bind all parties having right, title, or interest in or to the Property or any part, their respective heirs, successors, and assigns and inure to the benefit of each Owner and the District.

**AGREEMENTS:**

1. Recitals Incorporated. The above Recitals and all terms defined therein are incorporated into this Restrictive Covenant for all purposes.
  
- 2.1 Easement to the District. Declarant hereby grants and conveys and by these presents does GRANT AND CONVEY unto the District, whose address is c/o Armbrust & Brown, PLLC, 100 Congress Avenue, Suite 1300, Austin, Texas 78701, a non-exclusive easement for the inspection, monitoring, operation, maintenance, replacement, upgrade and repair, as applicable, of the Facilities, in, upon and across portions of the Property as more particularly described in **EXHIBIT C** attached hereto and incorporated by reference (the "Easement Tract").

TO HAVE AND TO HOLD the same perpetually to the District and its successors and assigns, together with the privilege at any and all times to enter the Easement Tract for the purpose of operating, inspecting, monitoring, maintaining, replacing, upgrading and repairing, as applicable, the Facilities. This easement is made and accepted subject to all easements, covenants, restrictions, liens, and other encumbrances of record in Travis County, Texas affecting the Easement Tract.

- 2.2 Easement to the Owners. Declarant hereby grants and conveys and by these presents does GRANT AND CONVEY unto the Owners, a non-exclusive easement for the inspection, monitoring, operation, maintenance, replacement, upgrade and repair, as applicable, of the Facilities in, upon and across the Easement Tract.

TO HAVE AND TO HOLD the same perpetually to the Owners and their respective successors and assigns, together with the privilege at any and all times to enter the Easement Tract for the purpose of operating, inspecting, monitoring, maintaining, replacing, upgrading and repairing, as applicable, the Facilities. This easement is made and accepted subject to all easements, covenants, restrictions, liens, and other encumbrances of record in Travis County, Texas affecting the Easement Tract.

- 2.3 Easement to the City. Declarant hereby grants and conveys and by these presents does GRANT AND CONVEY unto the City, whose address is Post Office Box 1088, Austin, Texas 78767-1088, Attn: Planning and Development Review Department, a non-exclusive easement for the inspection, monitoring, operation, maintenance, replacement, upgrade and repair, as applicable, of the Facilities in, upon and across the Easement Tract.

TO HAVE AND TO HOLD the same perpetually to the City and its successors and assigns, together with the privilege at any and all times to enter the Easement Tract for the purpose of operating, inspecting, monitoring, maintaining, replacing, upgrading and repairing, as applicable, the Facilities. This easement is made and accepted subject to all easements,

covenants, restrictions, liens, and other encumbrances of record in Travis County, Texas affecting the Easement Tract.

3. Maintenance. The Owners shall continuously maintain the Facilities in accordance with the requirements of the City and in a good and functioning condition until such time as the Facilities have been constructed and the District has accepted the Facilities for maintenance, at which time the District will maintain the Facilities. The District may levy assessments to discharge the maintenance obligations of the Facilities. Each Owner is jointly and severally liable for the maintenance of the Facilities, but only in the event that the District fails to discharge its obligation to maintain the Facilities. After full purpose annexation of the Property by the City, the City will maintain the Facilities. The portion of the Property on which the Facilities are located may not be used for any purpose inconsistent with or detrimental to the proper operation of the Facilities.
4. Notice of City Entry. Prior to the City's full purpose annexation of the Property, the City shall give the District and the Owners thirty (30) days' prior written notice of the City's intent to enter all or part of the Easement Tract for the purpose of operating, maintaining, replacing, upgrading or repairing, as applicable, the Facilities; provided, however, that in the event of an emergency, the City shall be required to give prior notice within a reasonable period of time. Reasonableness shall be determined in accordance with the nature of circumstances of the emergency. The City shall have the right to enter the Easement Tract without notification for the purposes of monitoring and inspection only.
5. General Provisions.
  - A. Enforcement. If any person, persons, corporation, or entity of any other character violates or attempts to violate this Restrictive Covenant, it will be lawful for the City, its successors and assigns, to prosecute proceedings at law, or in equity, against the person, or entity violating or attempting to violate such covenant and to prevent the person or entity from violating or attempting to violate such covenant. The failure at any time to enforce this Restrictive Covenant by the City, its successors and assigns, whether any violations hereof are known or not, does not constitute a waiver or estoppel of the right to do so.
  - B. Modification and Amendment. This Restrictive Covenant may only be modified, amended or terminated upon the filing of such modification, amendment or termination in the Official Records of Travis County, Texas, approved and executed by (a) the Director of the Planning and Development Review Department of the City or successor department; (b) the Owners of the Property; (c) any mortgagees holding security interests on any portion of the Property, and (d) from and after such time as the District has accepted the Facilities for maintenance, the District. Such action only becomes effective after it is reduced to writing, signed by all of the required parties described in the immediately preceding sentence, and filed in the Real Property Records of Travis County.
  - C. Duration. Unless modified, amended, or terminated in accordance with Paragraph 5(B), this Restrictive Covenant remains in effect in perpetuity.

- D. Inurement. This Restrictive Covenant and the restrictions created hereby inure to the benefit of and bind the District and the Owners, and their successors and assigns. When an Owner conveys all or any portion of the Property, the former Owner will thereupon be released and discharged from any and all further obligations, if any, under this Restrictive Covenant that it had in connection with the Property conveyed by it from and after the date of recording of such conveyance, but no such sale releases that Owner from any liabilities, if any, actual or contingent, existing as of the time of such conveyance. When the City full purpose annexes the Property and accepts the Facilities for maintenance, the District will thereupon be released and discharged from any and all further obligations, if any, under this Restrictive Covenant that the District had in connection with the maintenance of the Facilities from and after the date of such full purpose annexation, but no such full purpose annexation releases the District from any liabilities, if any, actual or contingent, existing as of the time of such full purpose annexation.
- E. Non-Merger. This Restrictive Covenant will not be subject to the doctrine of merger, even though the underlying fee ownership of the Property, or any parts thereof, is vested in one party or entity.
- F. Captions. The captions preceding the text of each section and subsection hereof are included only for convenience of reference and will be disregarded in the construction and interpretation of this Restrictive Covenant.
- G. Governing Law; Place of Performance. This Restrictive Covenant and all rights and obligations created hereby will be governed by the laws of the State of Texas. This Restrictive Covenant is performable only in the county in Texas where the Property is located.
- H. Notices. Any Notice to the District, Declarant, any other Owner, or the City must be in writing and given by delivering the same to such party in person, by expedited, private carrier services (such as Federal Express) or by sending the same by certified mail, return receipt requested, with postage prepaid to the intended recipient's last known mailing address. All notices under this Restrictive Covenant will be deemed given, received, made or communicated on the date personal delivery is effected or, if mailed, on the delivery date or attempted delivery date shown on the return receipt. Any change in ownership or address requires notice to the District, Declarant, all other Owners, and the City.

**City:**

City of Austin  
Planning and Development Review Department  
P.O. Box 1088  
Austin, Texas 78767-1088  
ATTN: \_\_\_\_\_  
Case No. \_\_\_\_\_

**Declarant:**

Carma Easton LLC  
9757 Great Hills Trail, Suite 260  
Austin, Texas 78759  
ATTN: Shaun E. Cranston, P.Eng.

With a copy to (which shall not constitute notice):

DuBois Bryant & Campbell LLC  
ATTN: E. Scott Lineberry  
303 Colorado, Suite 2300  
Austin, Texas 78701

**District:**

Pilot Knob Municipal Utility District No. 3  
c/o Armbrust & Brown, PLLC  
100 Congress Avenue, Suite 1300  
Austin, Texas 78701

- I. Negation of Partnership. None of the terms or provisions of this Restrictive Covenant will be deemed to create a partnership between or among the District, Declarant, any other Owner, or the City in their respective businesses or otherwise; nor will it cause them to be considered joint ventures or members of any joint enterprise.
  
- J. Breach Does Not Permit Termination. Notwithstanding anything to the contrary contained herein, no breach of this Restrictive Covenant entitles the District, Declarant, or any other Owner to cancel, rescind or otherwise terminate this Restrictive Covenant, but such limitations do not affect in any manner any other rights or remedies which the District, Declarant, or any other Owner may have hereunder by reason of any breach of this Restrictive Covenant.
  
- K. Excusable Delays. Whenever performance is required of the District or any Owner hereunder, the District or the Owner, as the case may be, shall use all due diligence to perform and take all reasonable and necessary measures in good faith to perform; provided, however, that if completion of performance is delayed at

any time by reasons of acts of God, war, civil commotion, riots, strikes, picketing, or other labor disputes, unavailability of labor or material, damage to work in progress by reason of fire or other casualty, or any other cause beyond the reasonable control of the District or the Owner, as the case may be (financial inability, imprudent management or negligence excepted), then the time for performance as herein specified will be extended by the amount of delay actually so caused.

- L. Existing Encumbrances. The easements and other rights granted or created by this Restrictive Covenant are subject to any and all matters of record affecting the Property.
- M. Severability. The provisions of this Restrictive Covenant must be deemed to be independent and severable, and the invalidity or partial invalidity of any provision or portion hereof does not affect the validity or enforceability of any other provision.
- N. Entire Agreement. This Restrictive Covenant, and the exhibits attached hereto, contain all the representations and the entire agreement between the parties to this Restrictive Covenant with respect to the subject matter hereof. Any prior correspondence, memoranda or agreements are superseded in total by this Restrictive Covenant and the exhibits attached hereto. The provisions of this Restrictive Covenant will be construed as a whole according to their common meaning and not strictly for or against any Owner.
- O. Counterparts. This Restrictive Covenant may be executed in one or more counterparts, all of which will be considered one and the same agreement and will become effective when one or more counterparts have been signed by each of the parties and delivered to the other parties, it being understood that all parties need not sign the same counterpart.

Executed on the date set forth in the acknowledgment below to be effective on \_\_\_\_\_, 20\_\_.

**DECLARANT:**

CARMA EASTON LLC,  
a Texas limited liability company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF TEXAS           §

COUNTY OF TRAVIS       §

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_,  
by \_\_\_\_\_, \_\_\_\_\_ of Carma Easton LLC, a Texas limited liability  
company, on behalf of such limited liability company.

\_\_\_\_\_  
Notary Public, State of Texas

ACCEPTED: PLANNING AND  
DEVELOPMENT REVIEW DEPARTMENT

CITY OF AUSTIN

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

APPROVED AS TO FORM:

By: \_\_\_\_\_



“Further Affiant sayeth not.”

CARMA EASTON LLC,  
a Texas limited liability company

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF TEXAS           §

COUNTY OF TRAVIS       §

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_,  
by \_\_\_\_\_, \_\_\_\_\_ of Carma Easton LLC, a Texas limited  
liability company, on behalf of such limited liability company.

\_\_\_\_\_  
Notary Public, State of Texas

AFTER RECORDING, RETURN TO:

City of Austin  
Department of Planning and Development Review Department  
P.O. Box 1088  
Austin, Texas 78767

Project Name: \_\_\_\_\_  
Attn: \_\_\_\_\_ [Project Manager]  
CIP No. \_\_\_\_\_ [if applicable]

**EXHIBIT A**

**The Property**

[see attached]

**EXHIBIT B**

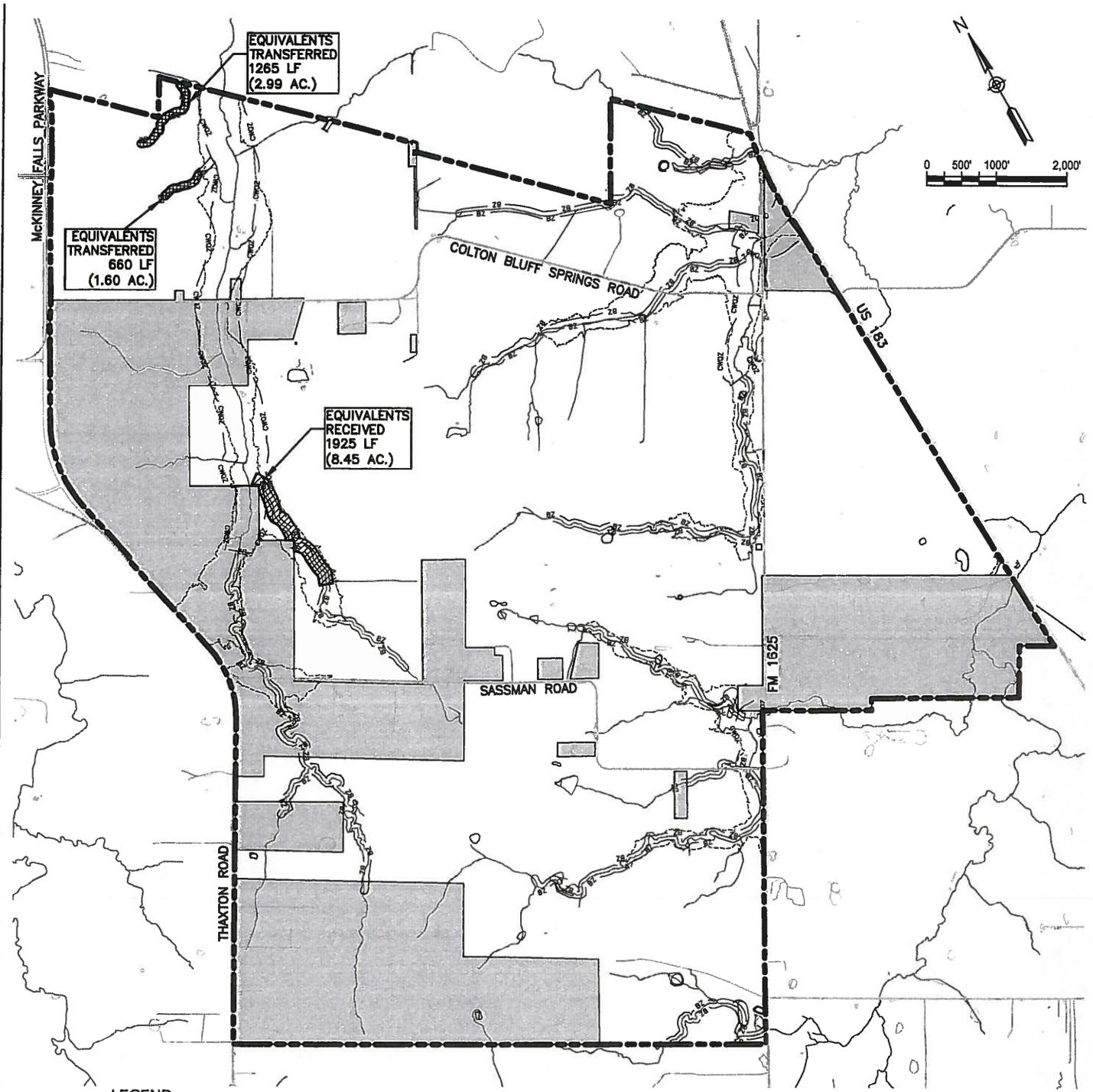
**Drainage Facilities**

[see attached]

**EXHIBIT C**

**The Easement Tract**

[see attached]



**LEGEND**

- AREA NOT INCLUDED IN PUD
- CWOZ CRITICAL WATER QUALITY ZONE FOR MAJOR AND INTERMEDIATE WATERWAYS
- BZ 50' BUFFER ZONE FOR DRAINAGE AREAS 64-320 Ac.
- OVERALL PLANNING BOUNDARY
- 100 YR FLOODPLAIN TRIBUTARIES
- TRANSFERRING TRACT
- RECEIVING TRACT

TOTAL BUFFER ZONE EQUIVALENTS, LF		
DOC. #	TRANSFERRED	RECEIVED
2014138937	1925	1925

**EXHIBIT J  
BUFFER ZONE TRANSFERS  
PILOT KNOB PLANNED UNIT DEVELOPMENT**

*REC'D 8-11-2015*

**EXHIBIT K**

**SETBACK/WATERWAY BUFFER ZONE**  
**TRANSFERRING AND RECEIVING RESTRICTIVE COVENANT NO.**

**GRANTOR:** CARMA EASTON LLC, a Texas limited liability company

**GRANTOR'S ADDRESS:** 9737 Great Hills Trail, Suite 260, Austin, Texas 78759

**CONSIDERATION:** Ten and no/100 dollars (\$10.00) and other good and valuable consideration paid by the City of Austin to the Grantor, the receipt and sufficiency of which is acknowledged:

**PROPERTY:** That certain real property in Travis County, Texas described in Exhibit A to each Strategic Partnership Agreement between the City of Austin and each of Pilot Knob Municipal Utility Districts Nos. 1, 2, 3, 4 and 5, attached as Exhibit 1 to those certain Ordinances Nos. 20120524-035, 20120524-036, 20120524-037, 20120524-038 and 20120524-039 and filed of record as Documents Nos. 201200037, 201200038, 201200039, 201200040 and 201200041, respectively, in the Official Public Records of Travis County, Texas, to which instruments and their respective record references are now here made for all pertinent purposes

**TRANSFERRING TRACT:** That certain real property in Travis County, Texas described on Exhibit A attached hereto and incorporated herein by reference.

**RECEIVING TRACT:** That certain real property in Travis County, Texas described on Exhibit B attached hereto and incorporated herein by reference.

**WHEREAS**, Grantor is the owner of the Transferring Tract and the Receiving Tract; and

**WHEREAS**, the above-described Transferring Tract is located within one or more of Pilot Knob Municipal Utility District No. 1, Pilot Knob Municipal Utility District No. 2, Pilot Knob Municipal Utility District No. 3, Pilot Knob Municipal Utility District No. 4 and Pilot Knob Municipal Utility District No. 5, each a political subdivision of the State of Texas created and operating under Article XVI, Section 59 of the Texas Constitution and Chapters 49 and 54 of the Texas Water Code (each a "MUD" and, collectively, the "MUDs"); and

**WHEREAS**, the above-described Receiving Tract is located within one or more of the MUDs; and

**WHEREAS**, the City of Austin and the Grantor entered into a Consent Agreement with each of the MUDs, each such Consent Agreement being effective as of April 13, 2012, and Austin City Council approved the Consent Agreements in Ordinance Nos. 20120322-031, 20120322-032, 20120322-033, 20120322-034 and 20120322-035 (collectively, the “**Consent Agreement**”); and

**WHEREAS**, the Consent Agreement provides that, with respect to waterways having a contributing drainage area of less than 320 acres but more than 64 acres, Grantor is required to provide a setback (“**Buffer Zone**”) of 50 feet from the centerline of such waterway; and

**WHEREAS**, where the provision of such Buffer Zone causes hardship on the development of the property located within the MUDs, the Consent Agreement provides that a one-for-one credit based on linear foot of waterway will be given for each of the following: (i) providing a 50 foot Buffer Zone from the centerline of waterways having a contributing drainage area of less than 64 acres, and/or (ii) increasing the Buffer Zone width established by the 50 foot centerline setback (total width of 100 feet centered on the waterway) to an average total width of 200 feet for waterways having a contributing drainage area of less than 320 acres but more than 64 acres, which added Buffer Zone width does not need to be centered on the centerline of such Minor Waterway; and

**WHEREAS**, Grantor intends to transfer some or all of the linear feet of the Buffer Zone available for transfer from the Transferring Tract to the Receiving Tract in accordance with all applicable Consent Agreement requirements;

**NOW, THEREFORE**, it is declared that the Owner of the Transferring Tract and the Owner of the Receiving Tract, for consideration, shall hold, sell, and convey the Transferring Tract and Receiving Tract subject to the following covenants and restrictions by this restrictive covenant. These covenants and restrictions shall run with the land, and shall be binding on the Owner of the Transferring Tract and Receiving Tract, its heirs, successors, and assigns.

1. In accordance with the Consent Agreement, the entire Receiving Tract is deemed to be included within the Buffer Zone. Except as allowed under applicable law, no use will be made of the Receiving Tract, or on the Receiving Tract, that is inconsistent with the uses permitted in the Consent Agreement for real property located in the Buffer Zone.
2. In accordance with the Consent Agreement, none of the Transferring Tract will be subject to any restrictions or limitations relating to real property located in a Buffer Zone.
3. Taking into consideration the property being designated as Transferring Tract(s) and Receiving Tract(s) in this restrictive covenant, no linear feet of the Transferring Tract remain available for future transfer, based upon the criteria set out in the Consent Agreement and as reflected in **Exhibit C** attached hereto and incorporated herein by reference. Further, **Exhibit D** attached hereto and incorporated herein by reference reflects the cumulative Transferring Tracts and Receiving Tracts within the Property since, and including those reflected in, the recording of that certain Setback/Waterway Buffer Zone Transferring and Receiving Restrictive Covenant No. 1 as Document No. 2014138937 in the Official Public Records of Travis County, Texas.

4. The Grantor shall place on the preliminary, final and construction plans (i) a note noting this recorded Restrictive Covenant document number, (ii) if any portion of the Transferring Tract is within the boundary of the current plat application, a note and detailed drawing of such portion of the Transferring Tract, and (iii) if the Receiving Tract is within the boundary of the current plat application, a note and detailed drawing of the portion of the Receiving Tract located thereon.
5. The Transferring Tract and Receiving Tract shall be held, sold, conveyed, and occupied subject to the following covenants, conditions, and restrictions, which shall run with the Transferring Tract and Receiving Tract and shall be binding on all parties having any right, title or interest in or to the Transferring Tract or Receiving Tract or any portion thereof, their heirs, legal representatives, successors, and assigns.
6. If any person or entity shall violate or attempt to violate this agreement and covenant, it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such agreement or covenant, to prevent the person or entity from such actions, and to collect damages for such actions.
7. If any part of this agreement or covenant is declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this Agreement, and such remaining portion of this Agreement shall remain in full effect.
8. If, at any time, the City of Austin fails to enforce this agreement, whether or not any violations of it are known, such failure shall not constitute a waiver or estoppel of the right to enforce it.
9. This Restrictive Covenant may only be modified, amended or terminated upon the filing of a written modification, amendment or termination document in the Official Records of Travis County, Texas, executed, acknowledged and approved by (a) the Director of the Planning and Development Review Department of the City of Austin or successor department; (b) if such modification, amendment or termination relates to the Transferring Tract, all of the Owners of the Transferring Tract at the time of the modification, amendment, or termination and any mortgagees then holding a security interest on any portion of the Transferring Tract; and (c) if such modification, amendment or termination relates to the Receiving Tract, all of the Owners of the Receiving Tract at the time of the modification, amendment, or termination and any mortgagees then holding a security interest on any portion of the Receiving Tract. Such action only becomes effective after it is reduced to writing, signed by all required Parties and their respective mortgagees, if any, and the Director of the Planning and Development Review Department of the City of Austin or its successor department and filed in the Real Property Records of Travis County, Texas.

All citations to the Land Development Code shall refer to the Austin City Code, as amended from time to time, unless otherwise specified. When the context requires, singular nouns and pronouns include the plural.

*[signatures follow on the next page]*

**EXECUTED** on the date set forth in the acknowledgment below to be effective this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**GRANTOR:**

CARMA EASTON LLC

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**STATE OF TEXAS** §

§

**COUNTY OF TRAVIS** §

Before me \_\_\_\_\_, Notary Public, on this day personally appeared \_\_\_\_\_, \_\_\_\_\_ of Carma Easton LLC, a Texas limited liability company, known to me personally to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public, State of Texas

ACCEPTED: PLANNING AND  
DEVELOPMENT REVIEW DEPARTMENT

CITY OF AUSTIN

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Assistant City Attorney



“Further Affiant sayeth not.”

CARMA EASTON LLC,  
a Texas limited liability company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF TEXAS           §

COUNTY OF TRAVIS       §

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_,  
by \_\_\_\_\_, \_\_\_\_\_ of Carma Easton LLC, a Texas  
limited liability company, on behalf of such limited liability company.

\_\_\_\_\_  
Notary Public, State of Texas

AFTER RECORDING, RETURN TO:

City of Austin

Department of Planning and Development Review Department

P.O. Box 1088

Austin, Texas 78767

Project Name: \_\_\_\_\_

Attn: \_\_\_\_\_ [Project Manager]

CIP No. \_\_\_\_\_ [if applicable]

**EXHIBIT A**

**Transferring Tract**

[see attached property description(s)]

**EXHIBIT B**

**Receiving Tract**

[see attached property description(s)]

**EXHIBIT C**

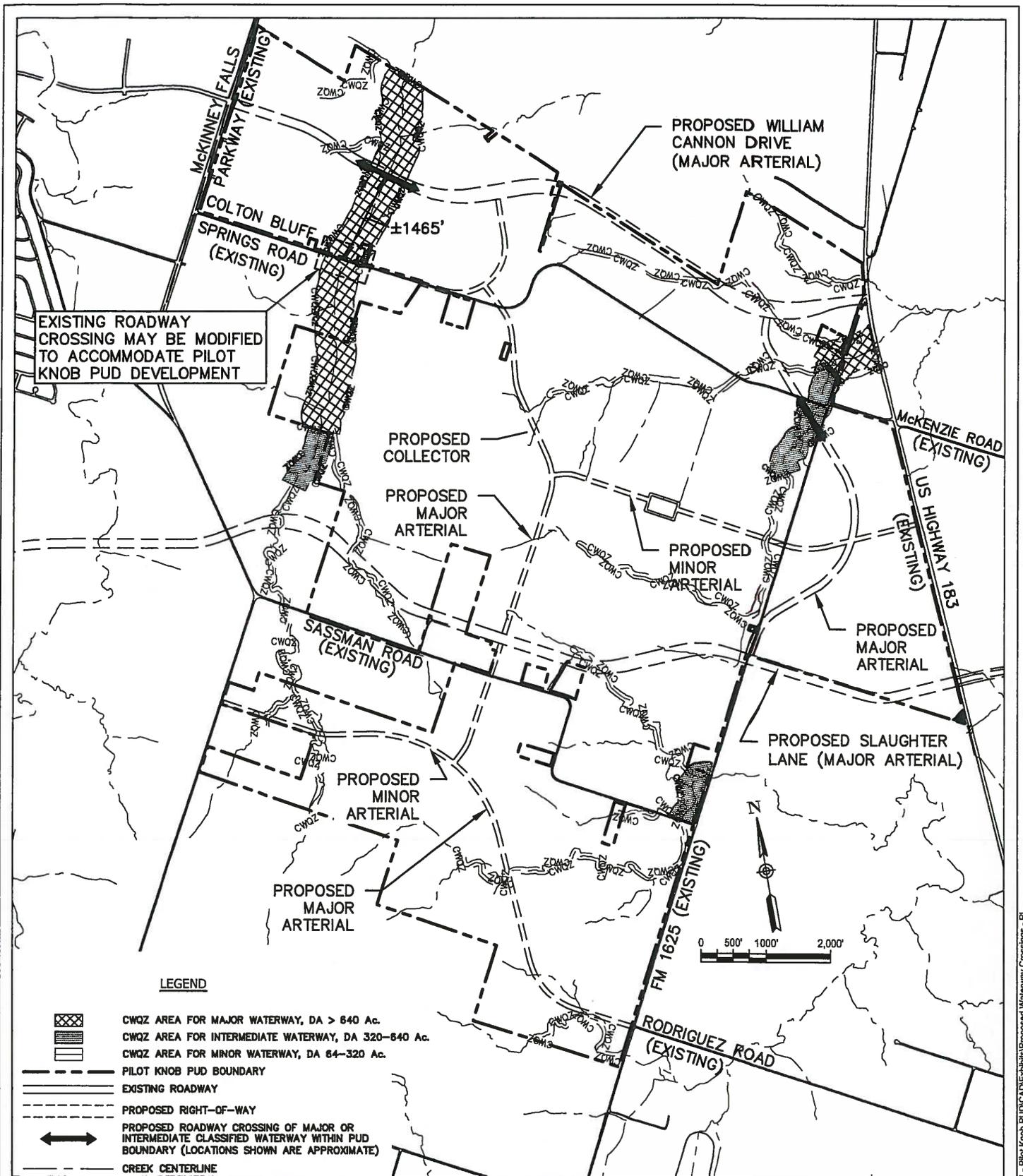
**Current Buffer Zone Transfers**

[see attached]

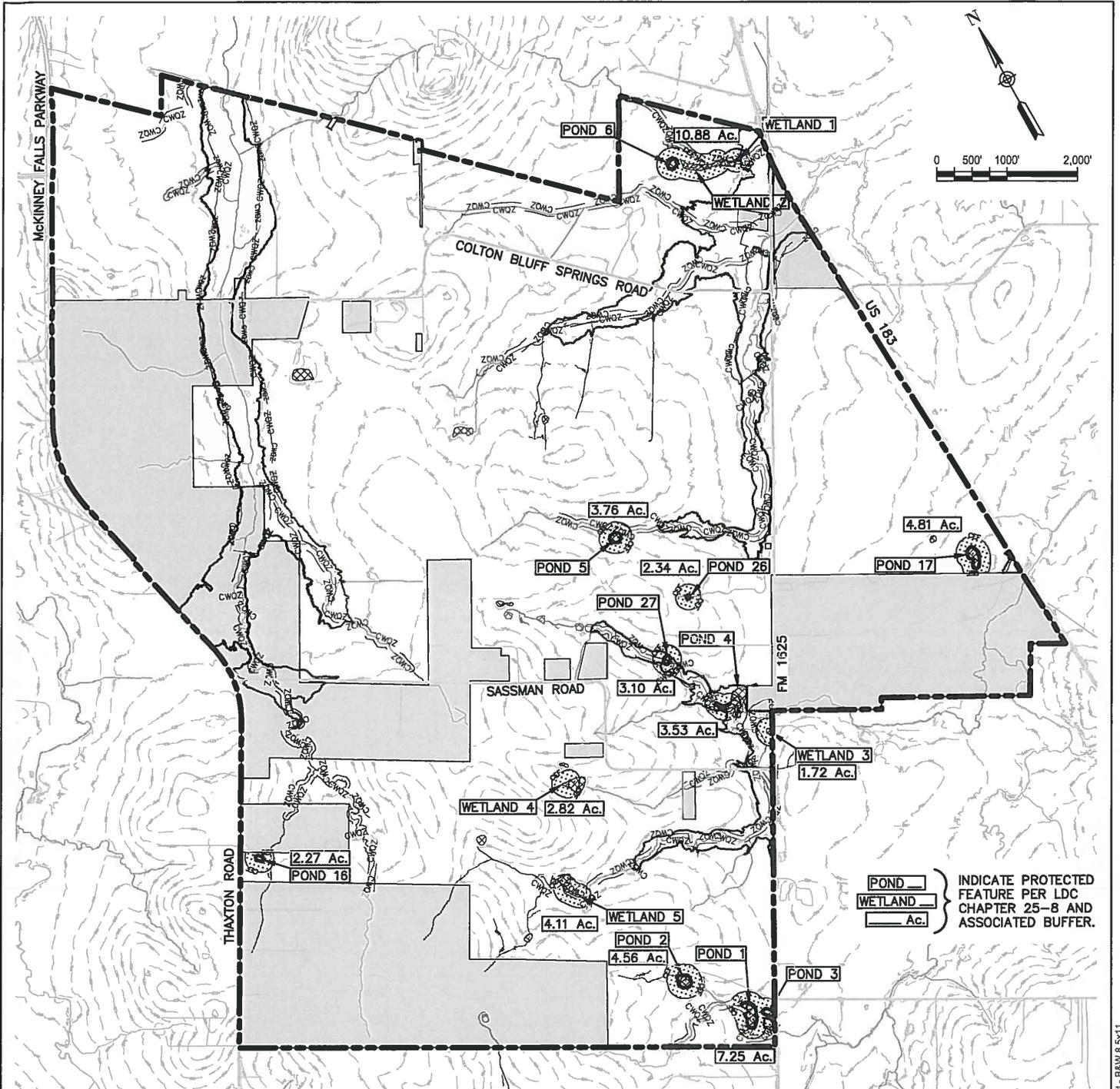
**EXHIBIT D**

**Cumulative Buffer Zone Transfers**

[see attached]



**EXHIBIT L  
PROPOSED WATERWAY CROSSINGS  
PILOT KNOB PLANNED UNIT DEVELOPMENT**



AREA NOT INCLUDED IN PUD  
 CEF SETBACK AREA

TRIBUTARIES  
 EXISTING WETLANDS  
 EXISTING PONDS  
 WETLAND FRINGE

**LEGEND**  
 CRITICAL WATER QUALITY ZONE FOR MAJOR AND INTERMEDIATE WATERWAYS  
 50' CRITICAL WATER QUALITY ZONE FOR DRAINAGE AREAS 64-320 Ac.  
 OVERALL PLANNING BOUNDARY  
 100 YR FLOODPLAIN

- NOTES:**
1. FOR DESCRIPTION OF ENVIRONMENTAL FEATURES NOTED, SEE "PILOT KNOB PUD: CITY OF AUSTIN ENVIRONMENTAL ASSESSMENT" DATED OCT. 15, 2012, PREPARED BY JACOBS ENGINEERING.
  2. WETLANDS 1 AND 2 ARE HIGH PRIORITY WETLANDS AND SHOULD BE ACCOMMODATED BY SITE PLAN IF FEASIBLE.
  3. CRITICAL ENVIRONMENTAL FEATURES ARE INDICATED BY INCLUSION OF SETBACK.
  4. MITIGATION OF CRITICAL ENVIRONMENTAL FEATURES IS ALLOWED PER REQUIREMENTS OF THE PUD.

**EXHIBIT M**  
**WETLAND TRANSFER EXHIBIT**  
**PILOT KNOB PLANNED UNIT DEVELOPMENT**

L:\JOB\Brookfield - Easton\BPP13001-01 - Pilot Knob PUD\CAD\Exhibits\CEF Exhibit - B&W 6.5x11

EXHIBIT N

WETLANDS TRANSFERRING AND RECEIVING  
RESTRICTIVE COVENANT NO.

**GRANTOR:** CARMA EASTON LLC, a Texas limited liability company

**GRANTOR'S ADDRESS:** 9737 Great Hills Trail, Suite 260, Austin, Texas 78759

**CONSIDERATION:** Ten and no/100 dollars (\$10.00) and other good and valuable consideration paid by the City of Austin to the Grantor, the receipt and sufficiency of which is acknowledged:

**PROPERTY:** That certain real property in Travis County, Texas described in Exhibit A to each Strategic Partnership Agreement between the City of Austin and each of Pilot Knob Municipal Utility Districts Nos. 1, 2, 3, 4 and 5, attached as Exhibit 1 to those certain Ordinances Nos. 20120524-035, 20120524-036, 20120524-037, 20120524-038 and 20120524-039 and filed of record as Documents Nos. 201200037, 201200038, 201200039, 201200040 and 201200041, respectively, in the Official Public Records of Travis County, Texas, to which instruments and their respective record references are now here made for all pertinent purposes

**TRANSFERRING TRACT:** That certain real property in Travis County, Texas described on Exhibit A attached hereto and incorporated herein by reference.

**RECEIVING TRACT:** That certain real property in Travis County, Texas described on Exhibit B attached hereto and incorporated herein by reference.

**WHEREAS,** Grantor is the owner of the Transferring Tract and the Receiving Tract; and

**WHEREAS,** the above-described Transferring Tract is located within one or more of Pilot Knob Municipal Utility District No. 1, Pilot Knob Municipal Utility District No. 2, Pilot Knob Municipal Utility District No. 3, Pilot Knob Municipal Utility District No. 4 and Pilot Knob Municipal Utility District No. 5, each a political subdivision of the State of Texas created and operating under Article XVI, Section 59 of the Texas Constitution and Chapters 49 and 54 of the Texas Water Code (each a "MUD" and, collectively, the "MUDs"); and

**WHEREAS,** the above-described Receiving Tract is located within one or more of the MUDs; and

**WHEREAS**, the City of Austin and the Grantor entered into a Consent Agreement with each of the MUDs, each such Consent Agreement being effective as of April 13, 2012, and Austin City Council approved the Consent Agreements in Ordinance Nos. 20120322-031, 20120322-032, 20120322-033, 20120322-034 and 20120322-035 (collectively, the “**Consent Agreement**”); and

**WHEREAS**, Grantor intends to transfer some of the wetlands (as defined in Section 25-8-1 of the City of Austin’s Land Development Code (the “**LDC**”)) located within the Property from the Transferring Tract to the Receiving Tract in accordance with all applicable provisions of the LDC;

**NOW, THEREFORE**, it is declared that the Owner of the Transferring Tract and the Owner of the Receiving Tract, for consideration, shall hold, sell, and convey the Transferring Tract and Receiving Tract subject to the following covenants and restrictions by this restrictive covenant. These covenants and restrictions shall run with the land, and shall be binding on the Owner of the Transferring Tract and Receiving Tract, its heirs, successors, and assigns.

1. The entire Receiving Tract is deemed to be wetland subject to the protections, restrictions or limitations set forth in Section 25-8-282 and other applicable provisions of the LDC. Except as allowed under applicable law, no use will be made of the Receiving Tract, or on the Receiving Tract, that is inconsistent with the uses permitted in the LDC for real property located in wetlands.
2. As the Receiving Tract is wetland mitigation property for the Transferring Tract, none of the Transferring Tract will be subject to any of the protections, restrictions or limitations set forth in Section 25-8-282 and other applicable provisions of the LDC relating to real property located in wetlands.
3. Taking into consideration the property being designated as Transferring Tract(s) and Receiving Tract(s) in this restrictive covenant, as the number of acres of the Receiving Tract exceeds the number of acres of the Transferring Tract, as reflected in **Exhibit C** attached hereto and incorporated herein by reference, \_\_\_\_\_ acres remain available for future transfer to other land within the Property so that such land will also be deemed to be a Transferring Tract (without the necessity of an additional Receiving Tract) upon the filing of a future restrictive covenant with respect to such land.[ Further, **Exhibit D** attached hereto and incorporated herein by reference reflects the cumulative Transferring Tracts and Receiving Tracts within the Property since, and including those reflected in, the recording of that certain Wetlands Transferring and Receiving Restrictive Covenant No. 1 as Document No. \_\_\_\_\_ in the Official Public Records of Travis County, Texas.]<sup>1</sup>
4. The Grantor shall place on the preliminary, final and construction plans (i) a note noting this recorded Restrictive Covenant document number, (ii) if any portion of the Transferring Tract is within the boundary of the current plat application, a note and detailed drawing of such portion of the Transferring Tract, and (iii) if the Receiving Tract is within the boundary of the current plat application, a note and detailed drawing of the portion of the Receiving Tract located thereon.

---

<sup>1</sup> This sentence and Exhibit D would be included in the second and all subsequent Wetlands Restrictive Covenants.

5. The Transferring Tract and Receiving Tract shall be held, sold, conveyed, and occupied subject to the following covenants, conditions, and restrictions, which shall run with the Transferring Tract and Receiving Tract and shall be binding on all parties having any right, title or interest in or to the Transferring Tract or Receiving Tract or any portion thereof, their heirs, legal representatives, successors, and assigns.
6. If any person or entity shall violate or attempt to violate this agreement and covenant, it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such agreement or covenant, to prevent the person or entity from such actions, and to collect damages for such actions.
7. If any part of this agreement or covenant is declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this Agreement, and such remaining portion of this Agreement shall remain in full effect.
8. If, at any time, the City of Austin fails to enforce this agreement, whether or not any violations of it are known, such failure shall not constitute a waiver or estoppel of the right to enforce it.
9. This Restrictive Covenant may only be modified, amended or terminated upon the filing of a written modification, amendment or termination document in the Official Records of Travis County, Texas, executed, acknowledged and approved by (a) the Director of the Planning and Development Review Department of the City of Austin or successor department; (b) if such modification, amendment or termination relates to the Transferring Tract, all of the Owners of the Transferring Tract at the time of the modification, amendment, or termination and any mortgagees then holding a security interest on any portion of the Transferring Tract; and (c) if such modification, amendment or termination relates to the Receiving Tract, all of the Owners of the Receiving Tract at the time of the modification, amendment, or termination and any mortgagees then holding a security interest on any portion of the Receiving Tract. Such action only becomes effective after it is reduced to writing, signed by all required Parties and their respective mortgagees, if any, and the Director of the Planning and Development Review Department of the City of Austin or its successor department and filed in the Real Property Records of Travis County, Texas.

All citations to the Land Development Code shall refer to the Austin City Code, as amended from time to time, unless otherwise specified. When the context requires, singular nouns and pronouns include the plural.

*[signatures follow on the next page]*

**EXECUTED** on the date set forth in the acknowledgment below to be effective this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**GRANTOR:**

CARMA EASTON LLC

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**STATE OF TEXAS** §

§

**COUNTY OF TRAVIS** §

Before me \_\_\_\_\_, Notary Public, on this day personally appeared \_\_\_\_\_, \_\_\_\_\_ of Carma Easton LLC, a Texas limited liability company, known to me personally to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public, State of Texas

ACCEPTED: PLANNING AND  
DEVELOPMENT REVIEW DEPARTMENT

CITY OF AUSTIN

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Assistant City Attorney



“Further Affiant sayeth not.”

CARMA EASTON LLC,  
a Texas limited liability company

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF TEXAS           §

COUNTY OF TRAVIS       §

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
by \_\_\_\_\_, \_\_\_\_\_ of Carma Easton LLC, a Texas  
limited liability company, on behalf of such limited liability company.

\_\_\_\_\_  
Notary Public, State of Texas

AFTER RECORDING, RETURN TO:

City of Austin  
Department of Planning and Development Review Department  
P.O. Box 1088  
Austin, Texas 78767

Project Name: \_\_\_\_\_  
Attn: \_\_\_\_\_ [Project Manager]  
CIP No. \_\_\_\_\_ [if applicable]

**EXHIBIT A**

**Transferring Tract**

[see attached property description(s)]

**EXHIBIT B**

**Receiving Tract**

[see attached property description(s)]

**EXHIBIT C**

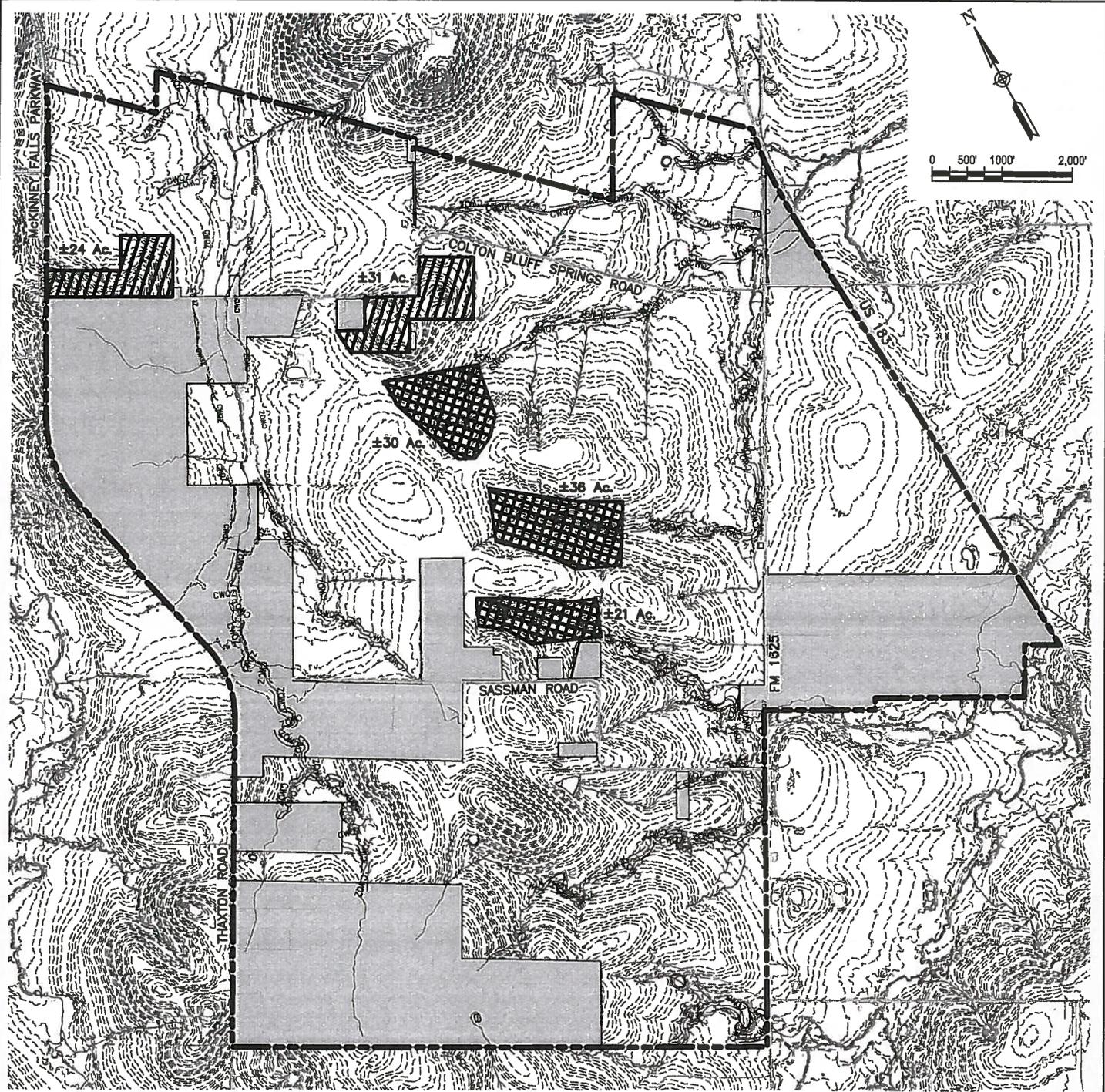
**Current Wetlands Transfers**

[see attached]

**[EXHIBIT D**

**Cumulative Wetlands Transfers**

[see attached]]<sup>1</sup>



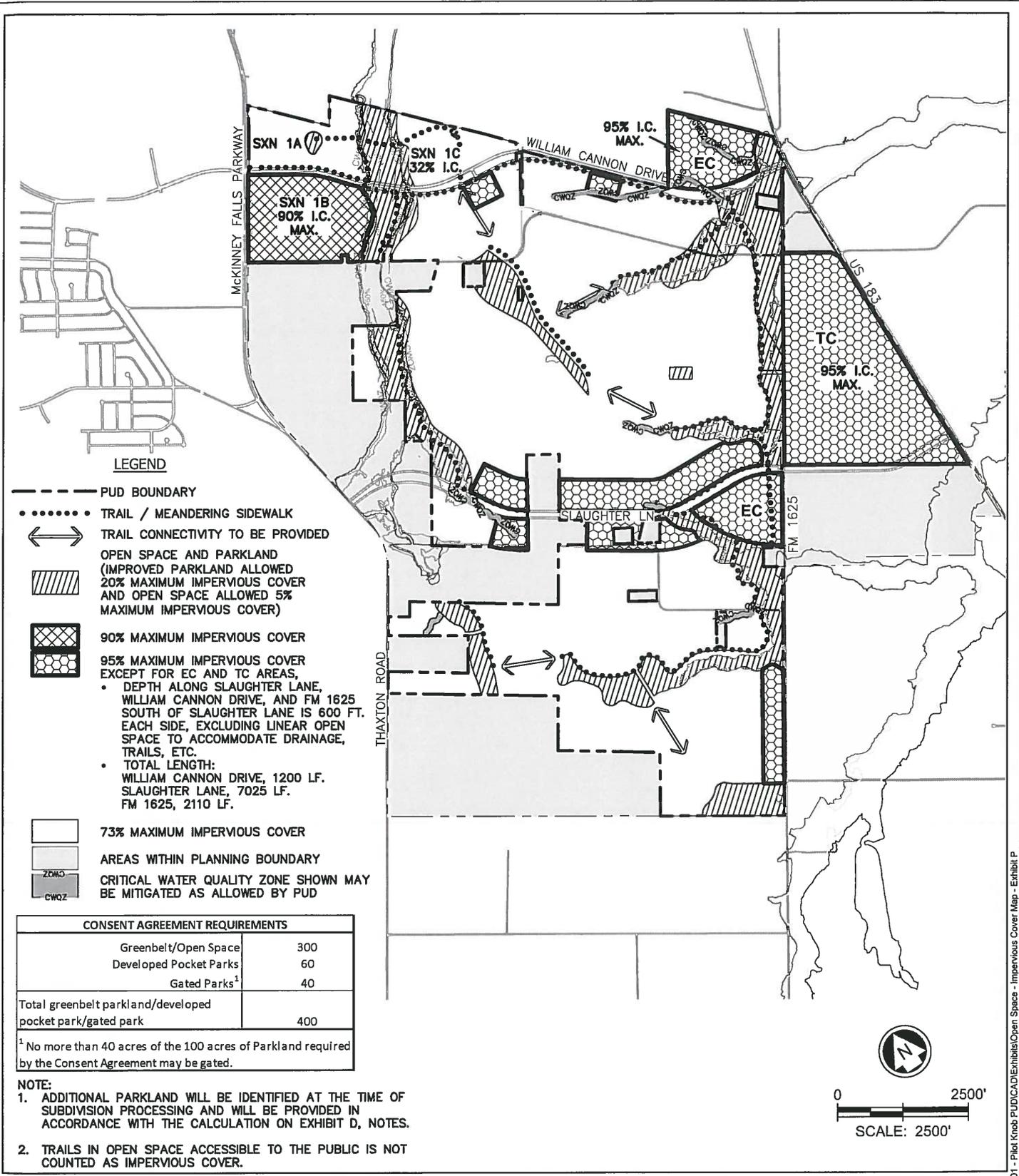
**LEGEND**

- AREA NOT INCLUDED IN PUD
- CWOZ
- 50' CRITICAL WATER QUALITY ZONE FOR MAJOR AND INTERMEDIATE WATERWAYS
- OVERALL PLANNING BOUNDARY
- 100 YR FLOODPLAIN
- TRIBUTARIES
- CUT UP TO 15' MAY BE ADMINISTRATIVELY REVIEWED AND APPROVED AT TIME OF DEVELOPMENT PERMIT.
- FILL UP TO 15' MAY BE ADMINISTRATIVELY REVIEWED AND APPROVED AT TIME OF DEVELOPMENT PERMIT.

**EXHIBIT O**  
**CUT / FILL EXHIBIT**  
**PILOT KNOB PLANNED UNIT DEVELOPMENT**

C814-2012-0152

REC'D 8-11-2015



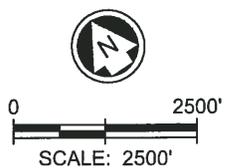
**LEGEND**

- PUD BOUNDARY
- ..... TRAIL / MEANDERING SIDEWALK
- ↔ TRAIL CONNECTIVITY TO BE PROVIDED
- [Hatched Box] OPEN SPACE AND PARKLAND (IMPROVED PARKLAND ALLOWED 20% MAXIMUM IMPERVIOUS COVER AND OPEN SPACE ALLOWED 5% MAXIMUM IMPERVIOUS COVER)
- [Cross-hatched Box] 90% MAXIMUM IMPERVIOUS COVER
- [Hatched Box] 95% MAXIMUM IMPERVIOUS COVER EXCEPT FOR EC AND TC AREAS.
  - DEPTH ALONG SLAUGHTER LANE, WILLIAM CANNON DRIVE, AND FM 1625 SOUTH OF SLAUGHTER LANE IS 600 FT. EACH SIDE, EXCLUDING LINEAR OPEN SPACE TO ACCOMMODATE DRAINAGE, TRAILS, ETC.
  - TOTAL LENGTH: WILLIAM CANNON DRIVE, 1200 LF. SLAUGHTER LANE, 7025 LF. FM 1625, 2110 LF.
- [White Box] 73% MAXIMUM IMPERVIOUS COVER
- [Grey Box] AREAS WITHIN PLANNING BOUNDARY
- [Grey Box with ZCWC and CWQZ labels] CRITICAL WATER QUALITY ZONE SHOWN MAY BE MITIGATED AS ALLOWED BY PUD

CONSENT AGREEMENT REQUIREMENTS	
Greenbelt/Open Space	300
Developed Pocket Parks	60
Gated Parks <sup>1</sup>	40
<b>Total greenbelt parkland/developed pocket park/gated park</b>	<b>400</b>

<sup>1</sup> No more than 40 acres of the 100 acres of Parkland required by the Consent Agreement may be gated.

- NOTE:**
1. ADDITIONAL PARKLAND WILL BE IDENTIFIED AT THE TIME OF SUBDIVISION PROCESSING AND WILL BE PROVIDED IN ACCORDANCE WITH THE CALCULATION ON EXHIBIT D, NOTES.
  2. TRAILS IN OPEN SPACE ACCESSIBLE TO THE PUBLIC IS NOT COUNTED AS IMPERVIOUS COVER.



**EXHIBIT P : IMPERVIOUS COVER MAP  
PILOT KNOB PUD  
AUSTIN, TRAVIS COUNTY, TEXAS**

REC'D 8-12-2015

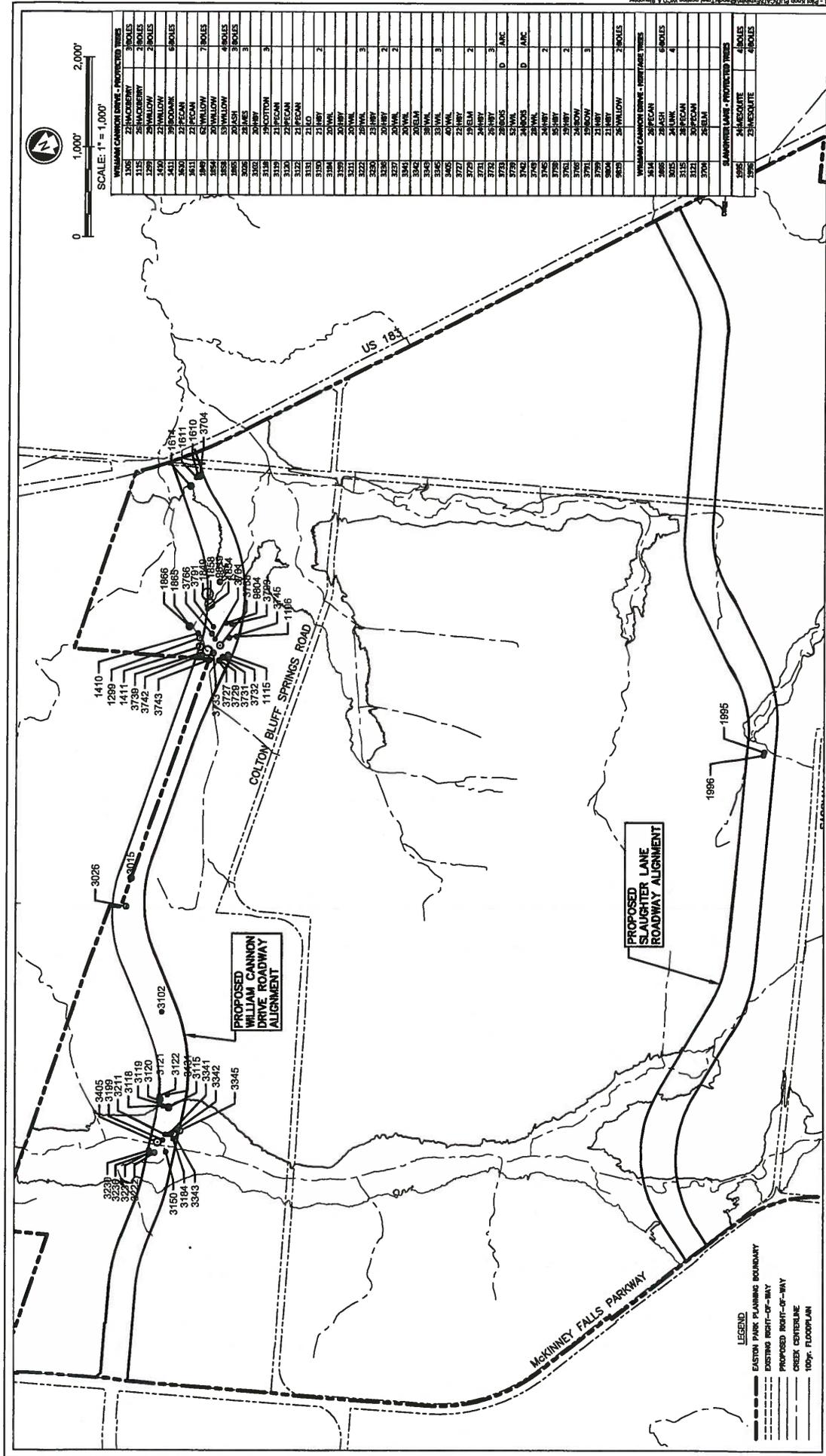
1. CENTERS DEVELOPMENT - IMPERVIOUS COVER			
Location	Area, ac.	IC, %	IC, ac.
MUD 1 North	58	95%	55.10
MUD 1 South	213	95%	202.35
EC	43	95%	40.85
<b>Centers Subtotal</b>	<b>314</b>		<b>298.3</b>

2. CORRIDORS DEVELOPMENT - IMPERVIOUS COVER					
Roadway	Roadway length, lf	Depth, ft	Area, acres	IC, %	IC, ac.
William Cannon Drive	600	600	8.26	95%	7.85
	600	600	8.26	95%	7.85
Slaughter Lane	4060	600	55.92	95%	53.13
	1250	600	17.22	95%	16.36
	550	600	7.58	95%	7.20
	110	600	1.52	95%	1.44
	1020	600	14.05	95%	13.35
	36	600	0.50	95%	0.47
FM1625	2110	600	29.06	95%	27.61
<b>Corridors Subtotal</b>	<b>10336</b>		<b>142.37</b>		<b>135.25</b>

3. MISC. DEVELOPMENT AREAS - IMPERVIOUS COVER			
Location	Area, ac	IC, %	IC, ac.
Open Space	300	5%	15
Parkland	100	20%	20
Section 1A	54.91	34%	18.80
Section 1C	44.45	32%	14.22
Section 1B	83	90%	74.70
All Other Areas	1177.91	73%	864.59
<b>Misc . Subtotal</b>	<b>1760.27</b>		<b>1007.31</b>

4. SUMMARY CALCULATION OF IMPERVIOUS COVER		
Development Type	Area, ac.	IC, ac.
Centers	314.00	298.30
Corridors	142.37	135.25
Misc	1760.27	1007.31
<b>Total</b>	<b>2216.64</b>	<b>1440.86</b>
Area in PUD, ac.		2216.60
65% Average IC in PUD		1440.79

EXHIBIT P-1  
 IMPERVIOUS COVER TABLE  
 REC'D 8-12-2015

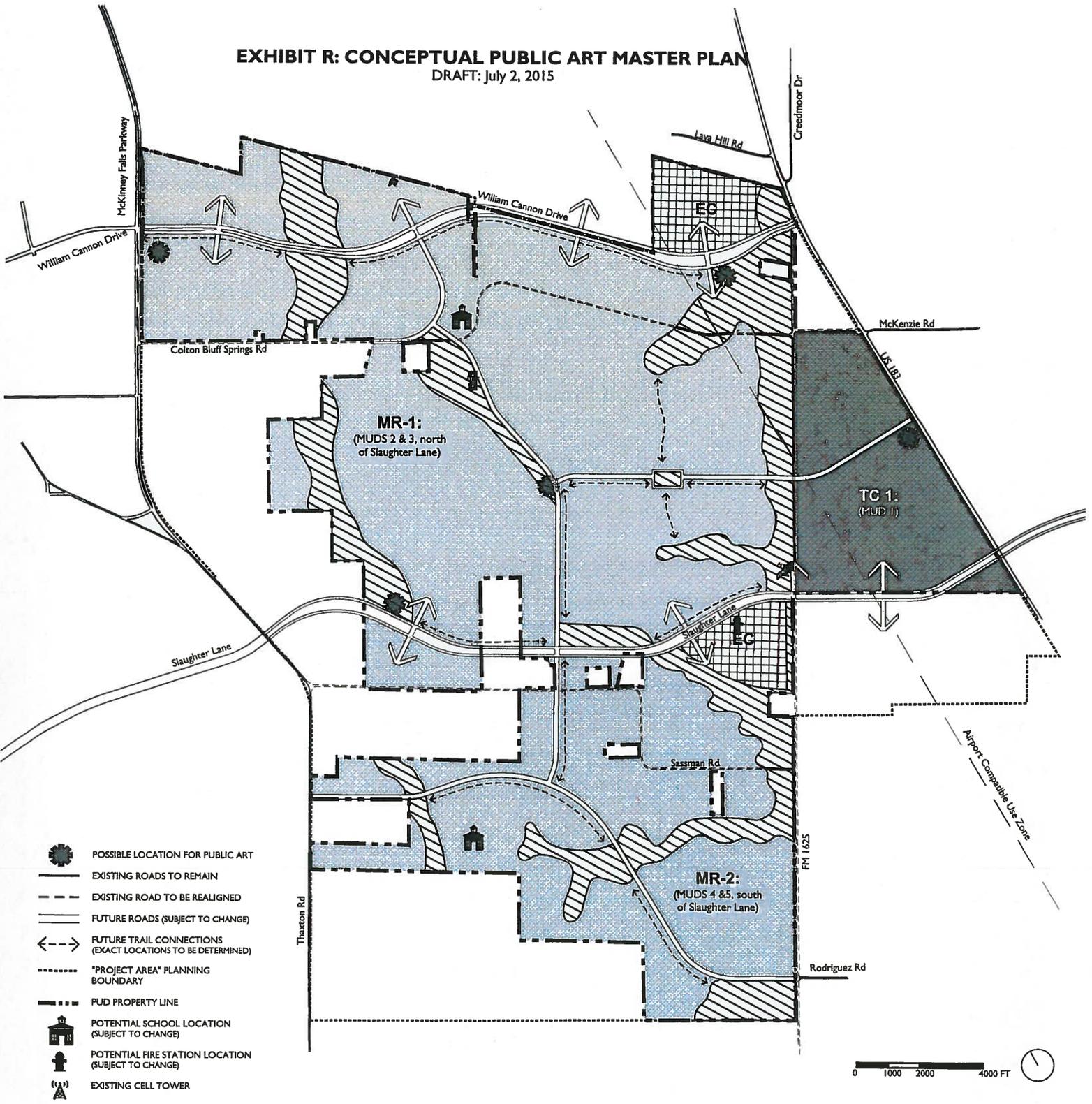


WILLIAM CANNON DRIVE - PROTECTED TREES		SLAUGHTER LANE - PROTECTED TREES	
1305	ZI-HACKBERRY	3705	ZI-HACKBERRY
1315	ZI-HACKBERRY	3715	ZI-HACKBERRY
1325	ZI-HACKBERRY	3725	ZI-HACKBERRY
1335	ZI-HACKBERRY	3735	ZI-HACKBERRY
1345	ZI-HACKBERRY	3745	ZI-HACKBERRY
1355	ZI-HACKBERRY	3755	ZI-HACKBERRY
1365	ZI-HACKBERRY	3765	ZI-HACKBERRY
1375	ZI-HACKBERRY	3775	ZI-HACKBERRY
1385	ZI-HACKBERRY	3785	ZI-HACKBERRY
1395	ZI-HACKBERRY	3795	ZI-HACKBERRY
1405	ZI-HACKBERRY	3805	ZI-HACKBERRY
1410	ZI-HACKBERRY	3810	ZI-HACKBERRY
1411	ZI-HACKBERRY	3811	ZI-HACKBERRY
1412	ZI-HACKBERRY	3812	ZI-HACKBERRY
1413	ZI-HACKBERRY	3813	ZI-HACKBERRY
1414	ZI-HACKBERRY	3814	ZI-HACKBERRY
1415	ZI-HACKBERRY	3815	ZI-HACKBERRY
1416	ZI-HACKBERRY	3816	ZI-HACKBERRY
1417	ZI-HACKBERRY	3817	ZI-HACKBERRY
1418	ZI-HACKBERRY	3818	ZI-HACKBERRY
1419	ZI-HACKBERRY	3819	ZI-HACKBERRY
1420	ZI-HACKBERRY	3820	ZI-HACKBERRY
1421	ZI-HACKBERRY	3821	ZI-HACKBERRY
1422	ZI-HACKBERRY	3822	ZI-HACKBERRY
1423	ZI-HACKBERRY	3823	ZI-HACKBERRY
1424	ZI-HACKBERRY	3824	ZI-HACKBERRY
1425	ZI-HACKBERRY	3825	ZI-HACKBERRY
1426	ZI-HACKBERRY	3826	ZI-HACKBERRY
1427	ZI-HACKBERRY	3827	ZI-HACKBERRY
1428	ZI-HACKBERRY	3828	ZI-HACKBERRY
1429	ZI-HACKBERRY	3829	ZI-HACKBERRY
1430	ZI-HACKBERRY	3830	ZI-HACKBERRY
1431	ZI-HACKBERRY	3831	ZI-HACKBERRY
1432	ZI-HACKBERRY	3832	ZI-HACKBERRY
1433	ZI-HACKBERRY	3833	ZI-HACKBERRY
1434	ZI-HACKBERRY	3834	ZI-HACKBERRY
1435	ZI-HACKBERRY	3835	ZI-HACKBERRY
1436	ZI-HACKBERRY	3836	ZI-HACKBERRY
1437	ZI-HACKBERRY	3837	ZI-HACKBERRY
1438	ZI-HACKBERRY	3838	ZI-HACKBERRY
1439	ZI-HACKBERRY	3839	ZI-HACKBERRY
1440	ZI-HACKBERRY	3840	ZI-HACKBERRY
1441	ZI-HACKBERRY	3841	ZI-HACKBERRY
1442	ZI-HACKBERRY	3842	ZI-HACKBERRY
1443	ZI-HACKBERRY	3843	ZI-HACKBERRY
1444	ZI-HACKBERRY	3844	ZI-HACKBERRY
1445	ZI-HACKBERRY	3845	ZI-HACKBERRY
1446	ZI-HACKBERRY	3846	ZI-HACKBERRY
1447	ZI-HACKBERRY	3847	ZI-HACKBERRY
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1449	ZI-HACKBERRY	3849	ZI-HACKBERRY
1450	ZI-HACKBERRY	3850	ZI-HACKBERRY
1451	ZI-HACKBERRY	3851	ZI-HACKBERRY
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1471	ZI-HACKBERRY	3871	ZI-HACKBERRY
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1497	ZI-HACKBERRY	3897	ZI-HACKBERRY
1498	ZI-HACKBERRY	3898	ZI-HACKBERRY
1499	ZI-HACKBERRY	3899	ZI-HACKBERRY
1500	ZI-HACKBERRY	3900	ZI-HACKBERRY

EXHIBIT Q  
 TREE CONFLICTS - WILLIAM CANNON DRIVE & SLAUGHTER LANE  
 PILOT KNOB PLANNED UNIT DEVELOPMENT

REC'D 8-11-2015

**EXHIBIT R: CONCEPTUAL PUBLIC ART MASTER PLAN**  
 DRAFT: July 2, 2015



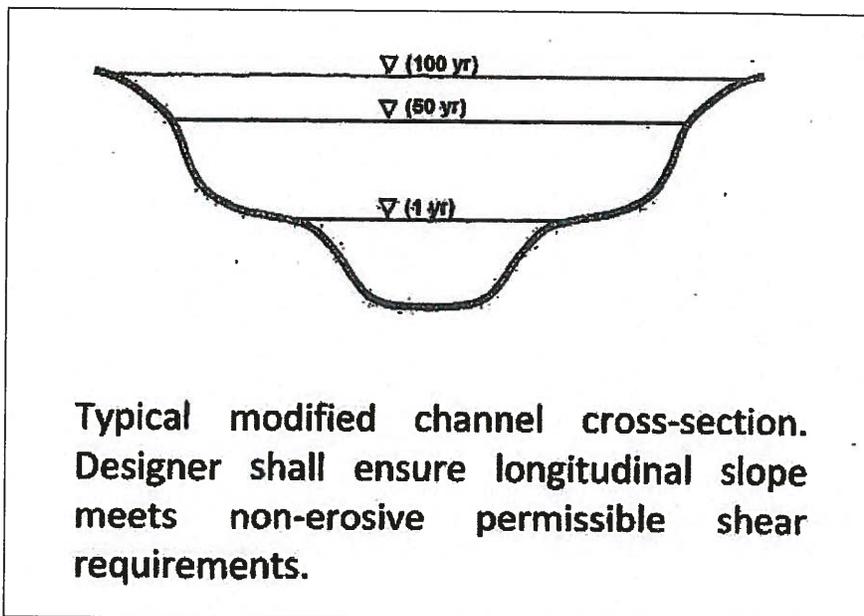
**GUIDING PRINCIPLES**

- Public artworks and/or artfully-crafted architectural elements (gates, bridges, walls, etc.) will be constructed by the Master Developer in order to enhance the community's public open spaces, parks, and entryways.
- These will be located strategically to optimize public visibility and accessibility, and will include information about the art and the artist, at minimum.
- These works will also be located so as to become distinctive, high-quality public places that will enhance the value and the identity of the community.

REC'D 8-11-2015

**Exhibit S**  
**PUD Notes**

1. For any site within the Project Area, soil may be temporarily stockpiled through the use of a D-site plan reviewed and approved administratively with the following conditions:
  - (a) The site plan final grade shown is the existing grade prior to the site plan,
  - (b) Protection for erosion and sedimentation shall be provided, as outlined in the code,
  - (c) There are no limits on soil stockpile height, if it is for construction use, and
  - (d) These temporary spoils areas may be designated PUD wide with the D-site plan, even if the property is not contiguous.
2. A portion of the PUD area lays within the Controlled Compatible Land Use Area (CCLUA) associated with the Austin Bergstrom International Airport. Approval of the Land Use Plan with this PUD does not grant approval by the Federal Aviation Administration (FAA) or Department of Aviation (DoA), and development applications filed for areas within the CCLUA are subject to their review prior to approval by the City and/or County.
3. As stated within the Consent Agreement, in Exhibit F, item 2, in all phases of development, the Developer agrees to design modified channels based on geomorphic stability for full build-out hydrology. Such design requires a series of nested channels (e.g. below figure from Consent Agreement) that includes a bankfull (1 yr. return interval) channel within the floodplain (100 yr) channel with distinct connections to an inset floodplain terrace.



The top width to depth ratio of the bankfull channel shall be designed per accepted geomorphic principles (e.g., Osterkamp et al. 1983 or Osborn and Stypula 1987). The channel longitudinal profile (slope) shall be designed and demonstrated by calculation to be non-erosive via permissible shear or velocity calculations that consider the particle size of the native soil comprising the channel. If topographic and/or development constraints make the design of a non-erosive natural channel infeasible, the use of armoring (such as with geotextiles) will be allowed.

4. As stated within the Consent Agreement in Exhibit F, item 3, in all phases of development the Developer agrees to provide water quality controls superior to those otherwise required by providing innovative controls listed in ECM Section 1.6.7 or others as approved by the Watershed Protection Department.
5. At the time an application for approval of a final plat or site plan is submitted for development of any portion of the PUD, an Integrated Pest Management and Public Education plan shall be submitted to the Watershed Protection Department for review and approval. The plan shall comply with the guidelines in Section 1.6.9.2 (D) and (F) of the Environmental Criteria Manual.

# EDUCATIONAL IMPACT STATEMENT

School District:



PROJECT NAME: Pilot Knob PUD

ADDRESS/LOCATION: East and Southeast from intersection of Wm Cannon and McKinney Falls

CASE #: C814-2012-0152

CITY COUNCIL DATE: \_\_\_\_\_

NEW SINGLE FAMILY

DEMOLITION OF MULTIFAMILY

NEW MULTIFAMILY

TAX CREDIT

# SF UNITS: 6300

STUDENTS PER UNIT ASSUMPTION: .5

# MF UNITS: 3500

STUDENTS PER UNIT ASSUMPTION: .3

**ELEMENTARY SCHOOL:** Creedmoor Elementary

RATING: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PERMANENT CAPACITY: 824

% QUALIFIED FOR FREE/REDUCED LUNCH: \_\_\_\_\_

MOBILITY RATE: \_\_\_\_\_

ELEMENTARY SCHOOL STUDENTS	Current Population	5- Year Projected Population	5-Year Projected Population (w/ proposed development)
Number	810	1125	3225
% of Permanent Capacity	98	137	391

INCREASE

DECREASE

NO IMPACT

**MIDDLE SCHOOL:** Ojeda Middle School

RATING: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PERMANENT CAPACITY: 1145

% QUALIFIED FOR FREE/REDUCED LUNCH: \_\_\_\_\_

MOBILITY RATE: \_\_\_\_\_

MIDDLE SCHOOL STUDENTS	Current Population	5- Year Projected Population	5-Year Projected Population (w/ proposed development)
Number	1011	1257	2181
% of Permanent Capacity	88	110	190

INCREASE

DECREASE

NO IMPACT

**HIGH SCHOOL:** Del Valle High School

RATING: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PERMANENT CAPACITY: 2038

% QUALIFIED FOR FREE/REDUCED LUNCH: \_\_\_\_\_

MOBILITY RATE: \_\_\_\_\_

HIGH SCHOOL STUDENTS	Current Population	5- Year Projected Population	5-Year Projected Population (w/ proposed development)
Number	2684	3618	4794
% of Permanent Capacity	132	178	235

INCREASE

DECREASE

NO IMPACT

**To select one of the checkboxes above, double click on the box and select "checked" from the default value menu in the middle of the page. Click OK to complete the selection.**

---

**IMPACT ON SCHOOLS**

---

Currently all of our elementary schools are at or very near capacity, so any additional housing units will have an educational impact on the district. We will review attendance boundaries next spring and it may become necessary to zone some neighborhoods in that area away from nearby schools to those on the outer edge of the district. Developers need to be aware of this so that they do not give out incorrect or misleading information to potential tenants. Our extra capacity at our middle school and High school has been covered by the use of portable classrooms. This information is all based on current facilities.

---

**TRANSPORTATION IMPACT**

---

Students within this development would attend Hillcrest Elementary, Creedmoor Elementary, Ojeda Middle School, and Del Valle High School at this time. They would all qualify for Transportation. This would cause a major impact on transportation; several new routes would be needed to transport and thus several new busses will have to be purchased. Another area of impact would be the road infrastructure; narrow two lane roads to this development would become a hazard as the project finished out.

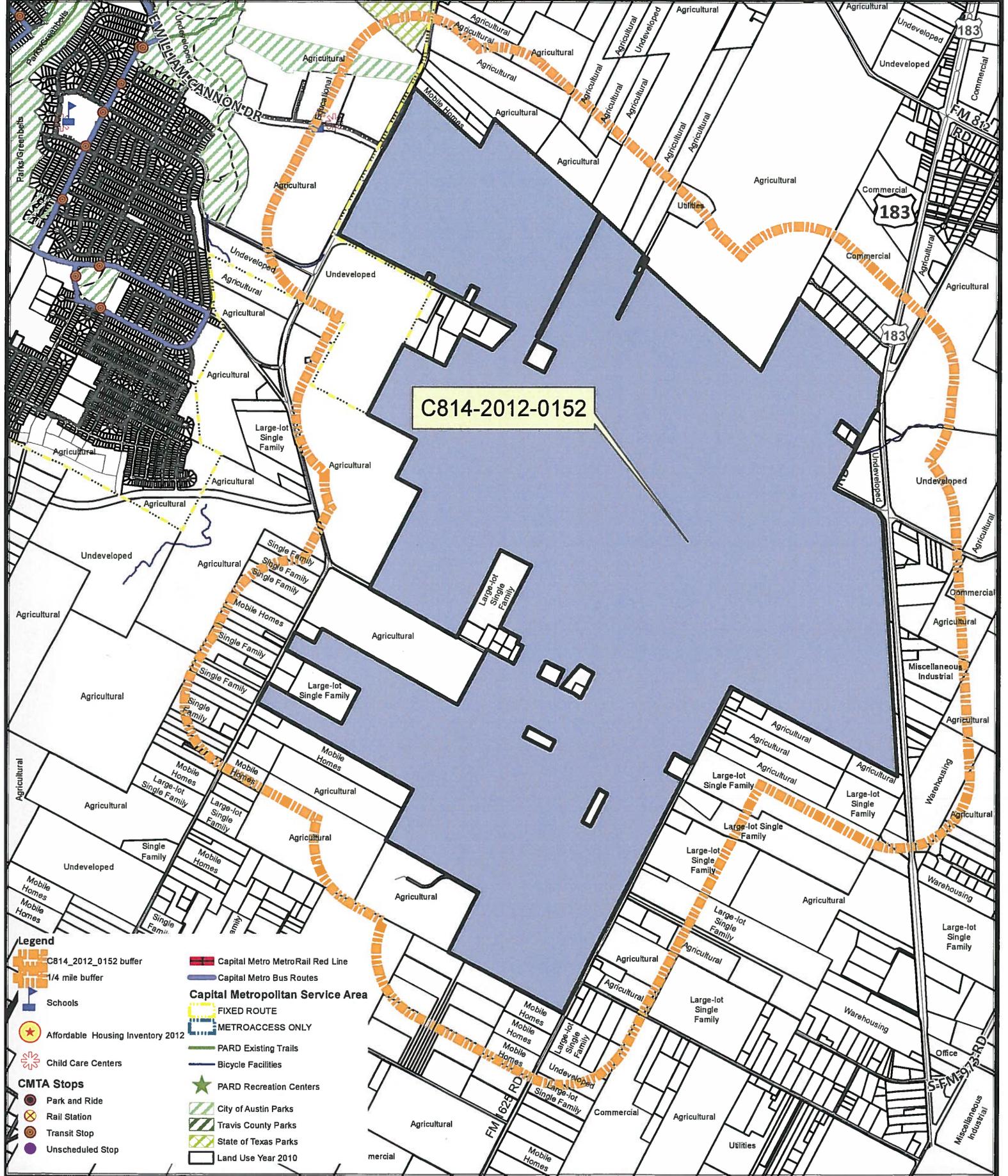
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**SAFETY IMPACT**

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Date Prepared: \_\_\_\_\_

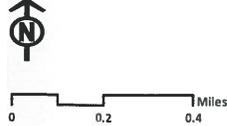
Director's Signature: \_\_\_\_\_



- Legend**
- C814\_2012\_0152 buffer
  - 1/4 mile buffer
  - Schools
  - Affordable Housing Inventory 2012
  - Child Care Centers
  - CMTA Stops**
    - Park and Ride
    - Rail Station
    - Transit Stop
    - Unscheduled Stop
  - Capital Metro MetroRail Red Line
  - Capital Metro Bus Routes
  - Capital Metropolitan Service Area**
    - FIXED ROUTE
    - METROACCESS ONLY
    - PARD Existing Trails
    - Bicycle Facilities
    - PARD Recreation Centers
    - City of Austin Parks
    - Travis County Parks
    - State of Texas Parks
    - Land Use Year 2010

**Zoning Case**  
 Case#: C814-2012-0152  
 Address: E William Cannon  
 Case Name: Pilot Knob Planned Unit Development  
 2214.075 Acres

Neighborhood Planning Area: No  
 School District: Del Valle ISD  
 Manager: Wendy Rhoades



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This product has been produced by the Planning and Development Review for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



# Educational Impact Assessment

# ZONING



## EXHIBIT A

### EDUCATIONAL IMPACT STATEMENT (EIS) DETERMINATION

#### PART A

If your project is located in the Austin Independent School District, requires Land Use Commission review; and meets one of the requirements listed below, an Educational Impact Statement is required.

<input checked="" type="checkbox"/> <u>YES</u>	<input type="checkbox"/> <u>NO</u>	<u>100 or more single family units are proposed</u>
<input checked="" type="checkbox"/> <u>YES</u>	<input type="checkbox"/> <u>NO</u>	<u>200 or more multifamily units are proposed</u>
<input type="checkbox"/> <u>YES</u>	<input type="checkbox"/> <u>NO</u>	<u>100 or more multifamily units are proposed and a tax credit is requested</u>
<input type="checkbox"/> <u>YES</u>	<input checked="" type="checkbox"/> <u>NO</u>	<u>project will demolish more than 50 residential existing units in a structure more than 20 years old</u>

If an Educational Impact Statement (EIS) is required, please complete the Educational Impact Analysis (EIA) Part B.

ZONING



**EDUCATIONAL IMPACT ANALYSIS FORM**  
**Part B**

OFFICE USE ONLY

CASE MANAGER: WENDY RHOADES

APPLICANT/AGENT: JANA McCANN / McCANN ADAMS STUDIO

CASE NUMBER: CB14-2012-0152

PROJECT NAME: PILOT KNOB PLANNED UNIT DEVELOPMENT

PROJECT ADDRESS: EAST AND SOUTHEAST FROM THE INTERSECTION OF  
WILLIAM CANNON DR. AND MCKINNEY FALLS PKWY.

PROPOSED USE: MIXED USED

**EXISTING RESIDENTIAL UNITS**

Existing Number of Residential Units: ∅

Number of existing residential units to be demolished: ∅

Age of units to be demolished: N/A

**PROPOSED DEVELOPMENT**

Gross Project Acreage: ± 2214 AC.

Number of lots:

Lots per acre:

**PROPOSED RESIDENTIAL UNITS**

Proposed number of Residential Units: ± 14,800

Size of proposed units in square feet (specify range): 800 (APARTMENTS) - 4500 (HOMES)

Number of bedrooms per unit: N/A

# ZONING

## ESTIMATED SELLING / RENTAL PRICE (EXISTING AND PROPOSED)

Estimated selling price of units (specify range): \$180,000 - \$400,000

Estimated rental rates (if applicable): UNKNOWN

Range of monthly rental rates to be demolished: 0 to

Estimated increase in rental rates (specify percentage of increase): UNKNOWN

If project is multifamily, will a tax credit be applied for as part of the Smart Housing™ Program? N/A

Number of Certified Affordable Dwelling Units (Proposed or Existing) PER CONSENT AGREEMENT

## OFF-SITE FAMILY AMENITIES EXISTING WITHIN ONE MILE OF PROJECT (Open to the public – attach location plan)

Parks/Greenbelts: McKINNEY FALLS STATE PARK

Recreation Centers: —

Public Schools: DEL VALLE ISD: HILLCREST ELEM. SCHOOL, PALM ELEMENTARY SCHOOL

## PARKLAND DEDICATION

Parkland ~~dedication~~ required?  YES  NO PER CONSENT AGREEMENT

If yes, please indicate if applicant plans to request fee in lieu or provide parkland.

Fee:  YES  NO

Land:  YES  NO

## ON-SITE FAMILY AMENITIES PROPOSED

Will space be provided for childcare services?  YES  NO  Unknown at this time

Amount of open space required in acres: 300 (PER CONSENT AGREEMENT)

Amount of open space provided in acres: 300

Other proposed amenities: (pools, clubhouse, recreation area): 100 (PER CONSENT AGREEMENT)

## TRANSPORTATION LINKAGES

Closest Public Transit Location: STATION

Pedestrian/Bike Routes:

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[www.austintexas.gov](http://www.austintexas.gov)

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Case Number: C814-2012-0152  
Contact: Wendy Rhoades, 512-974-7719  
Public Hearing: December 10, 2013, Planning Commission

Gilbert Anguiano  
Your Name (please print)

I am in favor  
 I object

8607 Hwy 183 South  
Your address(es) affected by this application

Gilbert Anguiano 11-27-2013  
Signature Date

Daytime Telephone: 512 243 3123

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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If you use this form to comment, it may be returned to:

City of Austin  
Planning & Development Review Department  
Wendy Rhoades  
P. O. Box 1088  
Austin, TX 78767-8810

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Case Number: C814-2012-0152  
 Contact: Wendy Rhoades, 512-974-7719  
 Public Hearing: December 10, 2013, Planning Commission

*Rick Sheldon,*  
 Your Name (please print)  
*RKS Feasibility Investments LP*  
 601 Sinteria Blvd, San Antonio, TX  
 Your address(es) affected by this application 78258

I am in favor  
 I object

*[Signature]*  
 Signature  
 210-490-2500  
 Daytime Telephone: 11-25-13  
 Date

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
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Case Number: C814-2012-0152

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: June 24, 2014, Planning Commission

Carol J. Brown & Shirley A. Swanson  
Your Name (please print)

7901 Cotton Blossom Springs Rd.  
Your address(es) affected by this application

Carol J. Brown  
Signature

6-14-14  
Date

Daytime Telephone: 512-715-0738

Comments:

\_\_\_\_\_  
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If you use this form to comment, it may be returned to:

City of Austin  
Planning & Development Review Department  
Wendy Rhoades  
P. O. Box 1088  
Austin, TX 78767-8810

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Case Number: C814-2012-0152  
Contact: Wendy Rhoades, 512-974-7719  
Public Hearing: June 24, 2014, Planning Commission

AKS Texas Investments LLC

By:  Your Name (please print) Rick Sheldon

William Cannon / Tax Gdt 814254  
Your address(es) affected by this application

 Date 6/16/14

Daytime Telephone: 210-490-2500

Comments: Riek Sheldon Real Estate  
601 Sauterra Blvd.  
San Antonio, TX 78258

I am in favor  
 I object

If you use this form to comment, it may be returned to:

City of Austin  
Planning & Development Review Department  
Wendy Rhoades  
P. O. Box 1088  
Austin, TX 78767-8810

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Case Number: C814-2012-0152  
 Contact: Wendy Rhoades, 512-974-7719  
 Public Hearing: June 24, 2014, Planning Commission

John Stumpf  
 Your Name (please print)

I am in favor  
 I object ?

Your address(es) affected by this application

*John Stumpf* 6/23/14  
 Signature Date

Daytime Telephone: 281 414 5029

Comments: Thaxton Road Property I.D. 299828  
 Property has Thaxton Road Frontage.

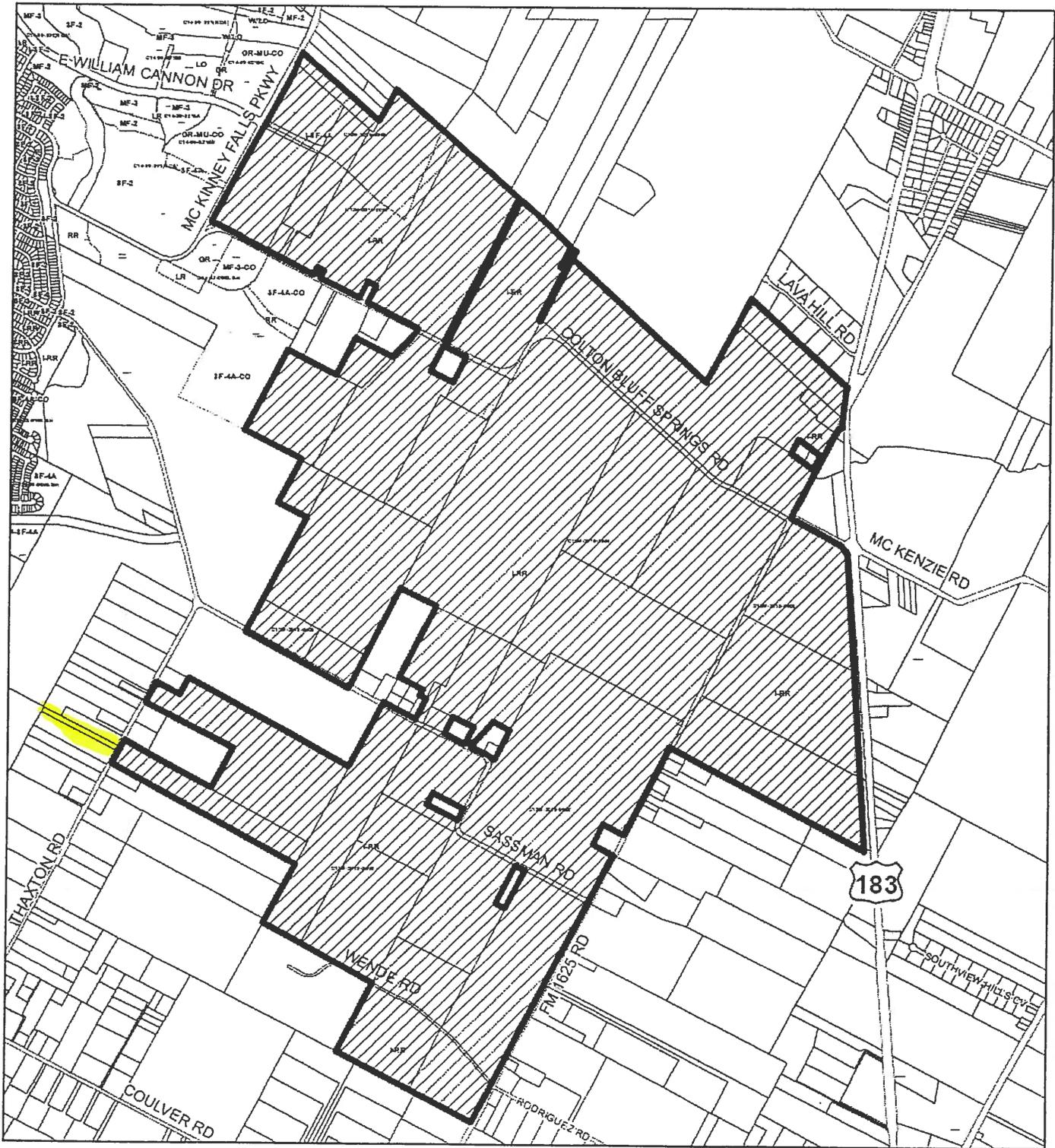
A large drainage culvert connects the East-West sides of Thaxton Road in front of the Property.

Reference attached maps.

- 80' wide tract on THAXTON RD that serves a 150+ acre ranch
- Is there an entrance to Pilot Knob PWD opposite Mr. Stumpf's tract?
- Is there a second access to Thaxton Rd to the north?

If you use this form to comment, it may be returned to:

City of Austin  
 Planning & Development Review Department  
 Wendy Rhoades  
 P. O. Box 1088  
 Austin, TX 78767-8810



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

**PLANNED UNIT DEVELOPMENT**  
 ZONING CASE#: C814-2012-0152



1" = 2,000'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

## Travis CAD - Map of Property ID 299828 for Year 2014



### Property Details

#### Account

Property ID: 299828  
Geo ID: 0348010128  
Type: Real  
Legal Description: ABS 24 DELVALLE S ACR 2.416 (1-D-1)

#### Location

Situs Address: THAXTON RD TX 78747  
Neighborhood: Land Region 420  
Mapsco: 705P  
Jurisdictions: 68, 0A, 2J, 51, 03, 06

#### Owner

Owner Name: STUMPF JOHN J ETAL  
Mailing Address: , 2601 MARY AVE, , PEARLAND, TX 77581-6327

#### Property

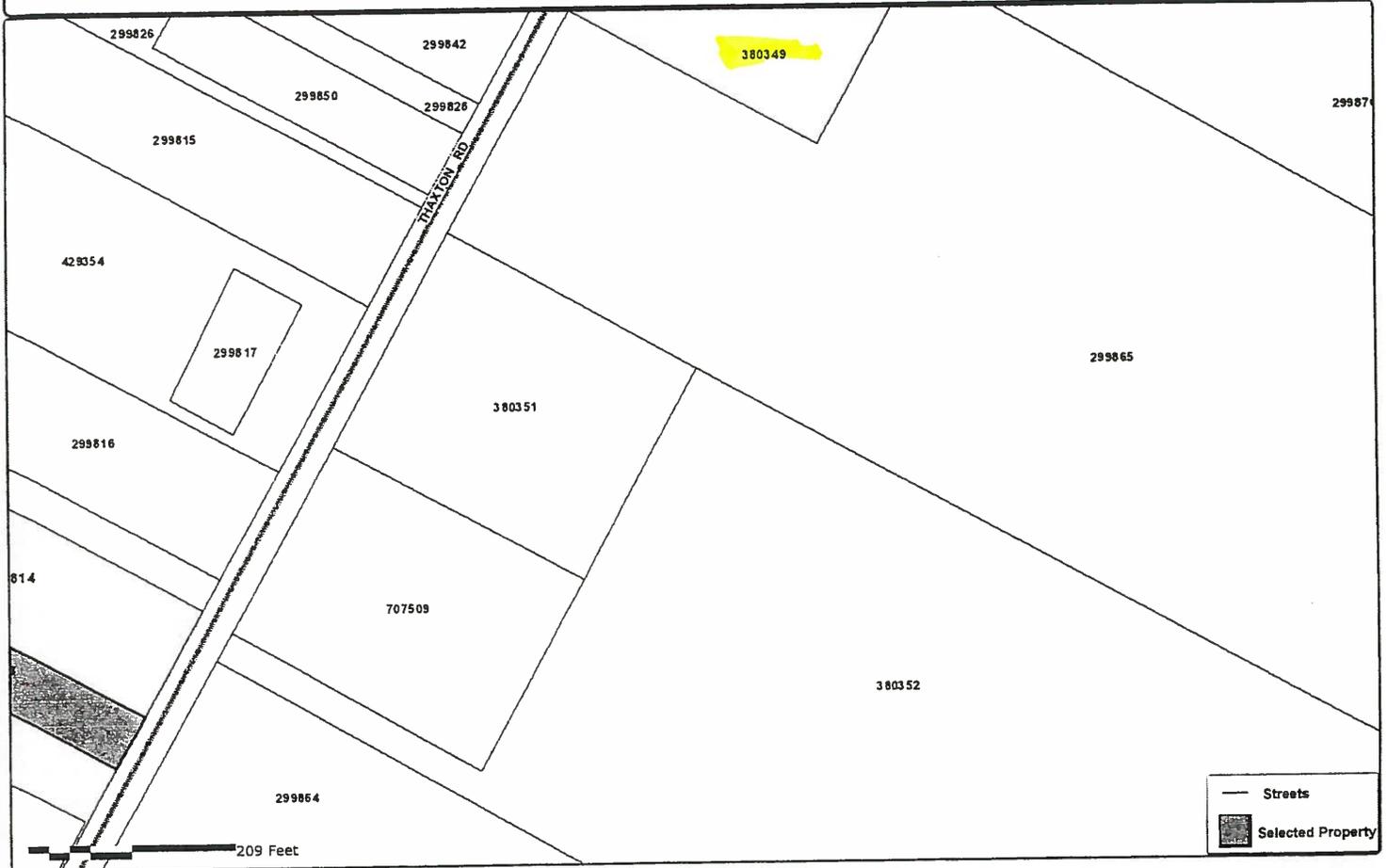
Appraised Value: \$244.00

<http://propaccess.traviscad.org/Map/View/Map/1/299828/2014>

powered by  
**PropertyACCESS**  
www.trueautomation.com

Map Disclaimer: This tax map was compiled solely for the use of TCAD. Areas depicted by these digital products are approximate, and are not necessarily accurate to mapping, surveying or engineering standards. Conclusions drawn from this information are the responsibility of the user. The TCAD makes no claims, promises or guarantees about the accuracy, completeness or adequacy of this information and expressly disclaims liability for any errors and omissions. The mapped data does not constitute a legal document.

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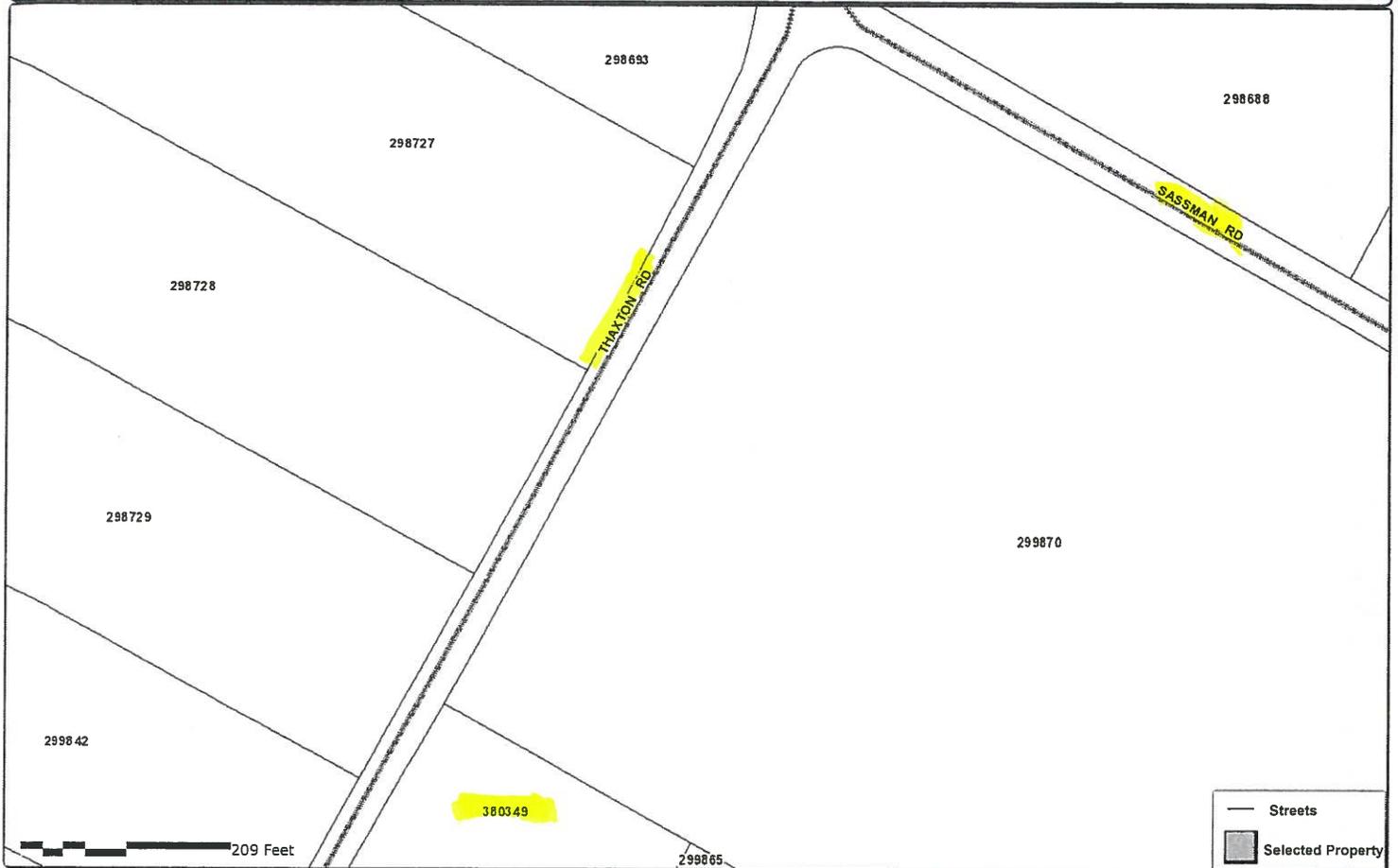
Appraised Value: \$244.00

<http://propaccess.traviscad.org/Map/View/Map/1/299828/2014>

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## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: <http://www.austintexas.gov/planning>.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C814-2012-0152  
Contact: Wendy Rhoades, 512-974-7719  
Public Hearing: June 9, 2015, Planning Commission

RKS TEXAS INVESTMENTS, LP

Your Name (please print)  
601 SONTECA BLVD  
SAN ANTONIO, TX 78258

I am in favor  
 I object

Your address(es) affected by this application

*[Signature]*  
Rick Sheldon, President

6/1/15  
Date

Daytime Telephone:

Comments: In favor -  
This Master Community  
would be great for  
Austin.

If you use this form to comment, it may be returned to:

City of Austin  
Planning & Zoning Department  
Wendy Rhoades  
P. O. Box 1088  
Austin, TX 78767-8810